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CIVIL DOCKET
UNITED STATES DISTRICT COURT

DOCKET ENTRIES

2000-01-02 14:00

Jury demand date:

TR- 5386 Tyler

U. S. Form No. 166 Rev.

TITLE OF CASE	ATTORNEYS
MANA REGESTER, ROBERT G. MIMS, B.C. CLAYTON, and STEPHEN B. McCONNICO VS. DOS DE JACK, SECRETARY OF STATE OF THE STATE OF TEXAS, ET AL.	For plaintiff: Tony Korieth 315 Westgate Bldg., 1122 Colorado, Austin, 787 (withdrawn) Oscar H. Mauzy, Mullinax, Wells, Mauzy & Babbs, Inc., 1601 Natl Bankers Life Bldg Dallas, 75201 Clinton & Richards, David R. Richards 601 W. 7th, Austin 78701 Robert W. Hainsworth Alvin Bldg. 3710 Holman Ave. Houston 7, Tex.

JUDGES: Irving L. Goldberg 749 3514
Rm. 13-C-6 U.S. Courthouse
1100 Commerce St Dallas, 75202

For defendant: Samuel D. McDaniel,
Staff Legal Asst. P.O. Box 12548,
Capitol Station. Austin 78711

William Wayne Justice 597 9387
P.O. Box 330 Tyler 75701

Roy Orr: Earl Luna, 1002 Dallas Federal
Savings Bldg., Dallas 75201 747 1582

John H. Head Jr. 224-2353

helma J. Washington et al; Walter L. Irvin
301 N. Market, Dallas 75202 742 1631

John R. Wood, Jr. 224-2753
P.O. Box 2616 San Antonio 78296

Ed Idar,Jr., 319 Aztex Bldg., 211 E.
Commerce St., San Antonio 78205
Frank Hernandez 300 Southwest Bldg.

THREE-JUDGE

THREE-JUDGE
Geo.Willeford & Fene Diedrick: R. James George,Jr.
Box 98 Austin 78767

Dick Reed, et al: Clower & Stanford, Ron
I. Clower 1212 San Jacinto, Dallas 75202

BOX 983

Samuel G. Kail, et al: Roach & Robertson, J.

Digitized by srujanika@gmail.com

L. Roach, 2620 Republic Natl Bk.Tower,Dall

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214-741-4888 7/201
NAME ON

DATE Re-filed	PROCEDURES	Date One Judge pres.
12-17-71	1- Order constituting three-Judge Court composed Hon. Wayne Justice, Hon. John H. Wood, Jr., & Circuit Judge Irving Goldberg w/copy of Pre-trial order and transfer and consolidating for hearing & submission cases to Western District of Texas at Austin filed	
12-17-71	2- Pltfs' Original Complaint filed	
12-17-71	3- Order and Motion granting Motion to effect service upon absent deft. J. Burns Brown filed	
12-17-71	4- Order and Motion allowing amendment to Pltfs' Original Complaint filed	
12-17-71	5- Memorandum Brief in Support of Motion to Change Venue and for Consolidation filed	
12-17-71	6- Motion to Change Venue and for Consolidation filed	
12-17-71	7- Deft's Original Answer to Complaint and Complaint in Intervention filed	
12-17-71	8- Original Answer of Deft. Roy Orr, Chairman of the State Democratic Executive Committee, to Pltfs' Original Complaint filed	
12-17-71	9- Pltfs' Response to Defts' Motions to Change Venue, Consolidate and Convene a Three-Judge Court filed	
12-17-71	10- Intervenors' Complaint (Thelma J. Washington, Ethelyn Gilbert, Elsie Faye Heggins, et al.) filed	
12-17-71	11- Complaint In Intervention filed	
12-17-71	12- Complaint In Intervention filed	
12-17-71	13- Order and Motion granting Motion to Intervene as Plaintiffs filed	
12-17-71	14- Order and Motion allowing Motion to Intervene (Joe J. Bernal, Leo Alvarado, John A. Longoria, Joe Garza, Albert A. Pena, III, Rene Gonzalez, Dario Chapa, George Garza, Rubin Garza, Amador Garcia, Leonaldo Gonzales, Rodolfo Pena, Cruz Alaniz, Louis Estrada, Rene Martinez, & Servando Martinez, Sr.) filed	
12-17-71	15- Order and Motion allowing Motion to Intervene (Texas AFL-CIO) filed	
12-17-71	16- Complaint In Intervention filed (Dick Reed, Paul Goodwin & David Moss)	
12-17-71	17- Complaint In Intervention (Samuel G. Kail, C.S. McMillan, Betty Price, Clarke Stroughan & Carolyn Burg) filed	
12-17-71	18- Order & Motion granting Motion to Intervene filed	
12-17-71	19- Order & Motion granting Motion to Intervene filed	
12-17-71	20- Motion & Order granting Motion to Withdraw Tony Korioth filed	
12-17-71	21- Order setting pre-trial conference 12-22-71 9:00 A.M. filed. Copies mailed to attys for both sides	
12-20-71	22- Answer of Defts. Dr. George Willeford, Chairman of the Texas State Republican Executive Committee, Gene Diedrick, Chairman of the Republican Committee of Smith County, Texas, and Motion to be Joined as Parties Plaintiff. filed (copies mailed to three Judges).	
12-22-71	23- Complaint in Intervention (Diana Regester et al.), filed. Copies to Judges & Master, eth.	
"	24- Motion to Intervene as Plaintiffs (George L. Allen et al.), filed. Copies to Judges, eth. & Master.	
"	25- Order Granting Motion to Intervene (George Allen et al.), filed. Copies to Judges, Atty's of Record & Master, eth.	
"	26- Intervenors' Complaint (George Allen et al.), filed. Copies to Judges, & Master, eth.	
"	27- Minutes of Pre-Trial Conference, filed.	
"	28- Order Setting Time Limits under Rules 30, 31, 33, 34 & 36 of FRCIVP, filed. Copies to Judges, Atty's of Record & Master, eth. See paper # 12 A-71-CA-162 for Original.	
"	29- Order Assessing Parties for Expenses Incident to Hearings by Special Master, filed. Copies to Judges, Atty's of Record & Master, eth. See paper # 14 A-71-CA-162 for Original.	
"	30- Order Appointing Special Master, filed. Copies to Judges & Atty's of Record & Master, eth. See paper # 15 A-71-CA-162 for Original.	

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D.C. 110 Rev. Civil Docket Continuation

Date
Judge

DATE	PROCEEDINGS
12-22-71	31- Oath of Special Master, filed. Copies to Judges, Atty's of Record & Master, sth. For Original see paper #16, A-71-CA-142.
"	32- Order by Special Master Calling for Filing of Alternate Plan(s), filed. Copies to Judges, Atty's of Record & Master. See paper # 17 A-71-CA-142 for original.
"	33- Order by Special Master Setting Pre-Hearing Conference, filed. Copies to Judges, Atty's of Record & Master. See paper # 18, A-71-CA-142 for Original.
12-27-71	34- State Deft's. Motion to Reconsider Appointment of Special Master, filed. Copies to Judges & Master, sth.
"	35- Deft. Orr's Objections to the Appointment of Special Master, filed. Copies to Judges & Master, sth.
"	36- Deft. Orr's Brief in Support of Motion to Reconsider & Objections, filed. Copies to Judges & Master, sth.
"	37- State Defts' Motion in Opposition to Order Appointing Special Master, filed. Copies to Judges & Master, sth.
"	38- State Defts' Supplemental Memorandum of Authorities in Support of Defts' Motion in Opposition to Appointing Master, filed. Copies to Judges & Master, sth.
12-28-71	39- State Defts' Request for Discovery, filed. Copies to Judges, sth.
"	40- Order Setting aside Order Appointing Master & Setting Schedule, filed. Copies to Judges & Atty's of Record, sth.
"	41- Order allowing intervention by Tom Crouch et al in A-71-CA-144, filed. Copies to Judges & Atty's of Record, sth.
"	42- Response of Realined Pltf's., to Request for Admissions (Rule 36), filed. Copies to Judges, sth.
12-29-71	43- Omnibus Order, filed. Copies to Judges & Atty's of Record, sth.
"	44- Answer to Request of Discovery by Intervenors Kail et al, filed. Copies to Judges, sth.
"	45- Answer to Request of Discovery by Intervenore Washington et al, filed. Copies to Judges, sth.
"	46- Response of Pltf's. Willeford & Diedrick to Defts' Request for Production of Documents, filed. Copies to Judges, sth.
"	47- Response of Pltf's. Willeford & Diedrick to Defts' Interrogatories, filed. Copies to Judges, sth.
12-30-71	48- Plaintiff's Responses to Request pursuant to Rule 36, filed. Copies to Judges, sth.
12-31-71	49- Plaintiff's Response to Interrogatories, filed. Copies to Judges, sth.
"	50- Plaintiff's Response to Request for Admissions, filed. Copies to Judges, sth.
"	51- Plaintiff's Response to Requests for Discovery, filed. Copies to Judges, sth.
1-3-72	52- Order for payment of daily transcript to reporter filed. Copies given to all judges and copies mailed to attys for both sides
1-2-72	53- Pre-Trial Order filed. Copies to Judges
1-3-72	54- Trial Brief of Deft Roy Orr, Chairman of the State Democratic Executive Committee filed. Copies to Judges
1-3-72	55- Trial Brief Submitted on Behalf of Republican Intervenors filed
1-3-72	56- Trial Brief for Pltf's Dr. George Willeford & Gene Diedrick filed
1-3-72	57- Memorandum Trial Brief for Joe J. Bernal, et al, Intervenors filed
1-3-72	58- Interrogatories filed
1-3-72	59- Trial Brief filed
1-3-72	60- Motion for Dismissal or for Judgment filed
1-3-72	61- Pre-Trial Memorandum Brief filed
1-4-72	62- Pretrial Order filed
1-4-72	63- Record of Proceedings Hearing on Pretrial Conference held 12-22-72 filed (see copy in A-71-CA-142)
1-4-72	64- Record of Proceedings Hearing on Final Pretrial Conference held 12-31-72 filed (see copy in A-71-CA-142)

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DATE	PROCEEDINGS
1-5-72	65- Pltf Intervenors Brief in Opposition to Motion to Convene a Three-Judge Panel filed
1-5-72	66- Pltf. Register, et al., Texas AF-CIO Bernal, et al., Interrogatories to be answered filed
1-6-72	67- Oral Deposition of Mr. Utah Kirk filed (see paper in A-71-CA-142)
1-6-72	68- Oral Deposition of Mr. Richard Menchaca filed (see paper in A-71-CA-142)
1-6-72	69- Order filed copies mailed to all Judges and all attys.
1-11-72	70- Post-Trial Memorandum filed (Letter attached shows copies mailed to all Judges filed)
1-6-72	71- Stipulation filed
1-4-72	Trial began, Opening statements List of Witnesses sworn
1-5-72	Testimony resumed
1-6-72	Deft. Orr Rest, State Deft. Rest. Rebuttal by Bernal Intervenors, Arguments, Post trial briefs, proposed findings & Submit plans all due 1-14-72. Case taken under advisement
1-12-72	72 Memorandum of the Amici Curiae filed (with attachments)
1-13-72	73 Post Hearing Memorandum of Realined Pltfs. Dr. George Willeford, Chairman of the Texas State Republican Executive Committee, and Gene Dietrick, Chairman of the Republican Committee of Smith Co. Texas filed
1-14-72	74 Post Trial Brief and argument & Proposed single member district plan for Dallas Co. (see paper in A-71-CA-142) filed
1-14-72	75 Post-Trial Brief of the Pltfs Register, et al and Intervenors Texas AFL-CIO, et al filed
1-14-72	76 Proposed Findings of Fact and Conclusions of Law filed
1-14-72	77 Post Trial Brief and Argument & Proposed single member district plan for Dallas Co. filed (see papers in A-71-CA-144)
1-14-72	78 Post-Trial Memorandum Submitting Redistricting Plan for Bexar Co. for Joe J. Bernal, et al, Intervenors filed
1-14-72	79 Post Trial Brief of Bernal Intervenors filed & attachments
1-14-72	80 Proposed Findings of Fact and Conclusions of Law of Bernal Intervenors filed
1-14-72	81 Post-Trial Memorandum of Bernal Intervenors Requesting Judicial Notice filed & attachments
1-14-72	83- Defendants' Brief (see papers A-71-CA-142) filed
1-14-72	84- Findings of Fact and Conclusions of Law Proposed by the Defts filed (see papers in A-71-CA-142)
1-14-72	85- Letter by deft. Samuel D. McDaniel with comments on Mausy Plan and Errors noted in Mausy Representative Districts Plan filed (see papers in A-71-CA-142)
1-14-72	86- Post-Trial Brief Submitted on Behalf of Dallas Republican Intervenors filed (with attachments)
1-14-72	87- Post-Trial Brief for Pltf-Intervenors Washington, et al, filed (see papers in A-71-CA-144)
1-17-72	88- Legislative redistricting plan of the State Republican Executive Committee pertaining to Diane Register vs. Bob Bullock filed
1-17-72	89- Single-member district plan for Tarrant Co. filed
1-18-72	90 Order issue check \$2,100.00 as partial payment daily transcript Jack D. Sykes filed
1-18-72	91- Map redistricting plan on a single member basis for Dallas Co., Tex. filed (see papers in A-71-CA-142)
1-19-72	92- Motion to Intervene as a Plaintiff filed
1-25-72	93- Deposition pd by Pltf. Register in amount \$361.47 filed(see papers in A-71-CA-142)
1-28-72	94- Opinion & Order filed

DATE	PROCEDINGS
1-28-72	95- Deposition Bob Armstrong (originally filed 1-3-72) (see in A-71-CA-142) 96- Deposition Ben Barnes (originally filed 1-3-72)(see in A-71-CA-142)
1-28-72	97- Deposition Gus Mutcher (originally filed 1-3-72)(see in A-71-CA-142)
1-28-72	98- Deposition of Gregory Drew Hooser (originally filed 1-3-72) (see in A-71-CA-142)
1-28-72	99- Record of Proceedings Jan 3,4,5,6 filed (see in A-71-CA-142) Vols 1,2,3,4
1-28-72	100- Oral Deposition of Crawford C. Martin (originally filed 1-3-72) (see in A-71-CA-142)
1-28-72	101- Deposition Robert S. Calvert (originally filed 1-3-72)(see in A-71-CA-142)
1-28-72	102- Oral Deposition Robert Spellings \$249.25 to be pd by Pltf) filed (originally filed 1-3-72). (see in A-71-CA-142)
1-3-72	103- Pltf's Motion to Amend Judgment (copies mailed 3 Judges) see A-71-CA-142)
1-28-72	104- Affidavit filed (copies mailed 3 Judges) (see papers A-71-CA-142)
1-28-72	105 Order granting Motion to amend Opinion and Order to rectify clerical errors filed. Copies mailed to all attys.
1-28-72	106- Motion to Allow Payment of Deposition Costs filed
2-11-72	107- Notice of Appeal to the Supreme Court U.S. Pltf. Curtis Graves filed
2-15-72	108- Motion to Allow payment of Deposition costs filed. (see paper in A-71-CA-142)
2-15-72	109- Order granting Motion to Allow payment of deposition costs filed (see paper in A-71-CA-142)
2-18-72	110- Letter of request to certify complete record & transmit to U.S. Supreme Court along with A-71-CA-143,A-71-CA-144,A-71-CA-145 filed (See paper in A-71-CA-142)
2-28-72	111- Notice of Appeal to the Supreme Court of the U.S. in Civil A-71-CA-145 filed
3-27-72	112- Notice of Appeal to the Supreme Court of the United States Preston Smith, Governor of Texas, Bob Bullock, Secty State of Texas, Roy Orr, Chairman, Texas State Democratic Executive Committee & Texas Legislative Redistricting Board, composed of following officials of the State of Texas: Ben Barnes, Lt. Governor, G.F. Mutschler, Speaker of the House, Bob Armstrong, Commissioner of the General Land Office, Robert S. Calvert, Comptroller of Public Accounts, & Crawford C. Martin, Attorney filed Copy certified mailed to U.S. Supreme Court
4-17-72	113- Balance of funds deposited Registry Account of Austin Natl Bank be transferred to the Registry Fund checking account with the Treasurer of U.S. Ordered filed Copies mailed to attys for both sides
4-17-72	114 Deposition Subpoena (Jerry Blair) returned, filed.
5-19-72	115- Order Supreme Court U.S. that probable jurisdiction for appeal has been considered filed
11-22-72	Complete xerox copies of all original papers in A-71-CA-143;A-71-CA-144; and A-71-CA-145 along with exhibits under separate cover mailed to U.S. Supreme Court

SUPPLEMENTAL DOCKET ENTRIES-----

Docket Entry No.

8/72	Jan. 3, 1972 - ORAL DEPOSITION OF Robert E. Johnson, filed. (116.)
8/72	Jan. 3, 1972 - Deposition of Mark Fisher, filed. (117)
8/72	Feb. 28, 1972 - Deposition of Emmett J. Conrad, filed. (118)
8/72	Feb. 28, 1972- Deposition of George Boch, filed. (119)
Dec 8/72	Feb. 28, 1972 -Deposition of George A. Zimmerman, filed. (120)
Dec 8/72	Feb. 28, 1972 -Deposition of Zan Wesley Holmes, filed. (121)
8/72	Feb. 28, 1972 -Answers and Deposition of David M. McNeely, filed. (122)
	123-Motion of Special Master Schatzki, filed. copy to 3 Judges

CIVIL DOCKET
UNITED STATES DISTRICT COURT

TR- CA-3-5241 (Dallas)
Jury demand date: 11-29-71 by Defts
Re-filed 12-17-71

P. G. Form No. 100 Rev.

TITLE OF CASE	ATTORNEYS
JOHNNY MARRIOTT, ET AL.	For plaintiff: Robert M. Greenberg 1105 Mercantile Securities Bldg., Dallas 748 5348
VS.	(proposed) Intervenor Tom Crouch, et al. Roach & Robertson
PRESTON SMITH, GOVERNOR OF THE STATE OF TEXAS, BOB BULLOCK, SECRETARY OF STATE OF THE STATE OF TEXAS, THE TEXAS LEGISLATIVE REDISTRICTING BOARD, BEN BARNES, LIEUTENANT GOVERNOR OF THE STATE OF TEXAS, G.F. MUTSCHER, SPEAKER OF THE TEXAS HOUSE OF REPRESENTATIVES, ROB ARMSTRONG, COMMISSIONER OF THE GENERAL LAND OFFICE, ROBERT S. CALVERT, CONTROLLER OF PUBLIC ACCOUNTS, AND CRAWFORD MARTIN, ATTORNEY GENERAL OF TEXAS	John L. Roach, Republic Bank Tower, Dallas 75201 741 4888 Thomas C. Crouch, Republic Bk. Tower Dallas, 75201 741 2148 Robert W. Hainsworth Alvin Ridg 3710 Holman Ave. Houston 77004
TR- CA-3-5241 (Dallas)	/ For defendant: ✓Samuel D. McDaniel, Staff Legal Asst. P.O. Box 12548, Capitol Station, Austin 78712

STATISTICAL RECORD	AMOUNT COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 1-1-72	Clerk				
J.S. 6 mailed 2-1-72	Marshal				
Basis of Action: Violation of Constitution; request 3-Judge Court; Temp. & permanent injunction- reapportionment Action against plans of Texas House of Representatives	Docket fee Witness fees Depositions				

DATE Re-filed	PROCEEDINGS	DATE ORDER JUDGMENT
12-17-71	1- Order designating 3-Judge Court, Hon. Wayne Justice, Hon. John H. Wood, Jr. & Circuit Judge Irving Goldberg, w/copy of Pre-trial order and transfer and consolidating for hearing & submission cases to Western District of Texas at Austin filed.	
12-17-71	2- Plaintiffs' Original Complaint filed	
12-17-71	3- Motion & Complaint to Intervene filed (Tom Crouch, John N. Leedom, Dr. Mort Jones, William M. Bass, Alfred J. Hall & Mary Ann Collins)	
12-17-71	4- Summons ret'd & filed Ex. 11-2-71 Bob Armstrong, by serving Francis Ballard designated agent, Priddy, Austin, Dep. 4.00	
12-17-71	5- Summons ret'd & filed Ex. Crawford Martin 11-2-71 by serving Alfred Walker designated agent, Austin, Atkison, Dep. 4.00	
12-17-71	6- Summons ret'd & filed Ex. 11-2-71 Texas Legislative Redistricting Board by serving Crawford Martin through designated agent Alfred Walker, Austin Atkison, Dep. 4.00	
12-17-71	7- Summons ret'd & filed Ex. 11-2-71 Bob Bullock by serving Julie Joslin, Designated agent, Austin, Atkison, Dep. 4.00	
12-17-71	8- Summons ret'd & filed Ex. 11-2-71 Preston Smith, by serving Ruth Goeppinger, Designated Agent, Austin, Atkison, Dep. 4.00	
12-17-71	9- Summons ret'd & filed Ex. 11-3-71 Robert S. Calvert, Austin, Atkison, Dep. 4.00	
12-17-71	10- Summons ret'd & filed Ex. 11-3-71 Ben Barnes, by serving Robert Spellings, designated agent, Austin, Atkison, Dep. 4.00	
12-17-71	11- Summons ret'd & filed Ex. 11-3-71 G. F. Muttscher, Austin, Atkison, Dep. 4.00	
12-17-71	12- Defts' Answer to complaint and complaint in intervention filed	
12-17-71	13- Demand for Jury Trial by Bob Bullock filed	
12-17-71	14- Order for Pre-Trial conference in Austin 12-22-71 filed. Copies mailed to attorney for both sides	
12-22-71	15- Minutes of Pre-Trial Conference, filed.	
"	16- Order Setting Time Limits under Rules 30, 31, 33, 34 & 36 PRCivP, filed. Copies to Judges, Atty's of Record & Master, et al. See Paper # 12, A-71-CA-142 for Original.	
"	17- Order Granting Motion for Intervention of George L. Allen et al in A-71-CA-143, filed. Copies to Judges, Atty's of Record & Master. Original filed in A-71-CA-143.	
"	18- Order assessing Parties for Expenses Incident to Hearing by Special Master, filed. Copies to Judges, Atty's of Record & Master, et al. See paper # 14, A-71-CA-142 for Original.	
"	19- Order Appointing Special Master, filed. Copies to Judges, Atty's of Record & Master, filed. See paper # 16, A-71-CA-142 for Original.	
"	20- Oath of Special Master, filed. Copies to Judges, Atty's of Record & Master, et al. See paper # 16, A-71-CA-142 for original.	
"	21- Order by Special Master Calling for filing of Alternate Plan(s), filed. Copies to Judges, Atty's of Record & Master, et al. See paper # 17, A-71-CA-142 for original.	
12-27-71	22- Order by Special Master Setting Pre-Hearing Conference, filed. Copies to Judges, Atty's of Record & Master, et al. See paper # 18, A-71-CA-142 for original.	
12-27-71	23- Deft. Orr's Motion to Reconsider Appointment of Special Master, filed. Copies to Judges & Master, et al.	
"	24- Deft. Orr's Objections to the Appointment of Special Master, filed. Copies to Judges & Master, et al.	
"	25- Deft. Orr's Brief in Support of Motion to Reconsider & Objections, filed. Copies to Judges & Master, et al.	
"	26- State Defts' Motion in Opposition to Order Appointing Master, filed. Copies to Judges & Master, et al.	

A 71 CA 144

D. C. 110 Rev. Civil Docket Continuation

Date of
Judgment

DATE	PROCEEDINGS
12-27-71	27. Supplemental Memorandum of Authorities in Support of Defts' (State) Motion in Opposition to Appointing Master, filed. Copies to Judges & Master, sth.
12-28-71	28. State Defts' Request for Discovery, filed. Copies to Judges, sth.
"	29. Order Setting aside Order Appointing Master & Setting Schedule, filed. Copies to Judges, Master & Attys of Record, sth.
"	30. Order Granting Motion to Intervene by Tom Crouch et al, filed. Copies to Judges & Attys of Record, sth.
12-29-71	31. Omnibus Order, filed. Copies to Judges & Attys of Record, sth/
"	32. Answer of Intervenors Kail et al to Request for Discovery & Production, filed. Copies to Judges, sth.
12-31-71	33. Complaint in Intervention (Tom Crouch), filed. Copies to Judges, sth.
"	34. Plaintiff's Response to Interrogatories, filed. Copies to Judges, sth.
"	35. Plaintiff's Responses to Interrogatories by Register, filed. Copies to Judges, sth.
"	36. Plaintiff's Responses to Request for Admissions, filed. Copy to Judges, sth.
"	37. Response to Request for Production under Rule 34, filed. Copy to Judges, sth.
1-2-72	38. Pre-Trial Order filed
1-3-72	39. Trial Brief Submitted on Behalf of Republican Intervenors filed
1-3-72	40. Order allowing payment daily transcript to Reporter filed Copies given to Judges and mailed to attys for both sides
1-3-72	41. Motion for Dismissal or for Judgment filed
1-3-72	42. Pre-Trial Memorandum Brief filed
1-4-72	43. Record of Proceedings Hearing on Pretrial Conference held 12-22-71 (see copy in A-71-CA-142)
1-6-72	44. Oral Deposition of Mr. Richard Menchaca filed (see copy in A-71-CA-142)
1-7-72	45. Order filed. Copies mailed to all judges and all attys
1-7-72	46. Motion for Leave to File Amicus Curiae Brief and Amicus Curiae Brief of W.B. Kennedy, Kiborio Hinojosa, G.F. Smith and J. Diogenes Doe filed
1-4-72	Trial began, opening statements
1-5-72	Testimony resumed
1-6-72	Testimony resumed, all Trial Briefs due, Proposed findings and submit plans by 1-14-72 Case taken under advisement
1-12-72	47. Memorandum of the Amicu Curiae filed (see papers in A-71-CA-143)
1-14-72	48. Post Trial Brief and Argument & Proposed single member district plan for Dallas Co. filed
1-72	49. Defts' Brief (see papers in A-71-CA-142) filed
1-14-72	50. Findings of Fact and Conclusions of Law Proposed by the Defts. filed (see papers in A-71-CA-142)
1-14-72	51. Letter by Defts. Attorney Samuel D. McDaniel with Comments on Mauzy Plan and Errors noted in Mauzy Representative Districts Plan filed (see papers in A-71-CA-142)
1-14-72	52. Post-Trial Brief Submitted on Behalf of Dallas Republican Intervenors filed
1-14-72	53. Post-Trial Brief for Pltf-Intervenors Washington, et al. filed
1-18-72	54. Order issue check \$2,100.00 as partial payment daily transcript to Jack D. Sykes filed
1-18-72	55. Map showing redistricting plan on a single member basis for Dallas Co. Texas filed (see papers in A-71-CA-142)
1-19-72	56. Motion to Intervene as a Plaintiff filed
1-27-72	57. Deposition pd by Pltf. Register in the amount \$361.47. (see papers in A-71-CA-142)
1-28-72	57. Opinion & Order filed
1-28-72	58. Oral Deposition of Mr. Richard Menchaca (originally filed 1-6-72)(see in A-71-CA-142)
1-28-72	58. Oral Deposition of Mr. Richard Menchaca (originally filed 1-6-72)(see in A-71-CA-142)

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DATE	PROCEEDINGS	Date Of Judgment
1-28-72	60- Deposition Bob Armstrong (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	61- Deposition Ben Barnes (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	62- Deposition Gus Mutschler (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	63- Oral Deposition Gregory Drew Hooser (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	64- Record of Proceedings Vols 1,2,3,4 1-3-5-6-1972 (see in A-71-CA-142)	
1-28-72	65- Oral Deposition of Crawford C. Martin (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	66- Deposition Robert S. Calvert (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	67- Oral Deposition of Robert Spellings (originally filed 1-3-72) (see in A-71-CA-142)	
2-3-72	68- Pltf's Motion to Amend Judgment filed (see papers A-71-CA-142)	
2-3-72	69- Affidavit filed (see papers A-71-CA-142)	
2-8-72	70- Order granting Motion to amend Opinion and Order to rectify clerical errors filed. Copies mailed to attys for both sides	
2-9-72	71- Motion to Allow Payment of Deposition Costs filed	
2-11-72	72- Notice of Appeal to the Supreme Court of the U.S. Pltf. Curtis Graves filed	
2-15-72	73- Motion to Allow Payment of Deposition Costs filed (see paper in A-71-CA-142)	
2-15-72	74- Order granting motion to allow payment of deposition costs filed (see paper in A-71-CA-142)	
2-18-72	75- Letter of request to certify complete record & transmit to U.S. Supreme Court along with A-71-CA-143, A-71-CA-144, A-71-CA-145 filed (See paper in A-71-CA-142)	
2-28-72	76- Notice of Appeal to the Supreme Court of the U.S. in Civil A-71-CA-144 filed	
3-7-72	77- Notice of Appeal to the Supreme Court of the U.S. Texas State Democratic Executive Committee, Roy Orr, Chairman, Preston Smith, Governor of Texas, Bob Bullock, Secy of State of Texas and the Texas Legislative Redistricting Board, composed of the following officials State of Texas: Ben Barnes, Lt. Governor, G.F. Mutschler, Speaker of the House, Bob Armstrong, Commissioner of the General Land Office, Robert S. Calvert, Comptroller Public Accounts & Crawford C. Martin, Atty. General filed	
3-7-72	78- Order Balance of funds deposited Registry Account of Austin Natl Bk. be transferred to the Registry Fund checking account with the Treasurer of U.S. filed Copies mailed to attys for both sides	
10-19-72	79- Order U.S. Supreme Court that probable jurisdiction has been considered for appeal filed (see paper in A-71-CA-143)	
1-22-73	80 - Motion of Special Master George Schatzki, filed.	

(x)

CIVIL DOCKET
UNITED STATES DISTRICT COURT

A 71 G 145

Jury demand date:

TR- SA-71 CA-339 (San Antonio)

A. C. Form No. 104 Rev.

TITLE OF CASE		ATTORNEYS					
VAN HENRY ARCHER, JR., ET AL, VS.		For plaintiff:		Nathan W. Fason J. Douglas McGuire 400 Alamo Natl Bldg., San Antonio 78205			
PRESTON SMITH, Governor of the State of Texas, BOB BULLOCK, Secretary of the State of the State of Texas, BEN BARNES, Lieutenant Governor of Texas, BOB ARMSTRONG, Commissioner of the General Land Office of Texas, ROBERT S. CALVERT, Comptroller of Public Accounts of Texas, G. F. (GUS) MITSCHER, Speaker, House of Representatives of Texas, and CRAWFORD MARTIN, Attorney General of Texas							
TR- SA-71-CA-339 (San Antonio)							
JUDGES: Irving L. Goldberg 749 3514 Rm. 13-C-6 U.S. Courthouse 1100 Commerce St., Dallas 75202 William Wayne Justice 597 9387 P.O. Box 330, Tyler 75701 John H. Wood, Jr. 224 2753 P.O. Box 2616, San Antonio 78296		For defendant: Samuel D. McDaniel Staff Legal Asst. Box 12548, Capitol Station, Austin 78711					
THREE-JUDGE							
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 1-1-72	Clerk						
J.S. 6 mailed 2-1-72	Marshal						
Basis of Action: Constitutional rights, challenging apportionment plans for House of Representative	Docket fee Witness fees						
Action arose at:	Depositions						

DATE Re-liled	PROCEEDINGS	Date Order Judgment N.
12-15-71	1- Order designating 3-Judge Court. Hon. Wayne Justice, Hon. John H. Wood, Jr., & Circuit Judge Irving Goldberg w/copy of Pre-trial order and transfer and consolidating for hearing & submission cases to Western District of Texas at Austin filed	
12-15-71	2- Pltf's Original Complaint filed	
12-15-71	3- Summons ret'd & filed Ex. 11-29-71 Crawford C. Martin by serving Alfred Walker, Exec. Asst. Austin, Priddy, Dep. 3.00	
12-15-71	4- Summons ret'd & filed Ex. 11-29-71 G.F. (Gus) Mutschler, by serving Rush McGinty, Exec. Asst., Austin, Priddy, Dep. 3.00	
12-15-71	5- Summons ret'd & filed Ex. 11-29-71 Robert S. Calvert, Austin, Priddy, Dep. 3.00	
12-15-71	6- Summons ret'd & filed Ex. 11-29-71 Bob Armstrong, by serving Diana Dry, designated agent, Austin, Priddy, Dep. 3.00	
12-15-71	7- Summons ret'd & filed Ex. 11-29-71 Ben Barnes, by serving Ann Gurlee, designated agent, Austin, Priddy, Dep. 3.00	
12-15-71	8- Summons ret'd & filed Ex. 11-29-71 Bob Bullock, by serving Julie Joslin, designated agent, Austin, Priddy, Dep. 3.00	
12-15-71	9- Summons ret'd & filed 11-29-71 Preston Smith, by serving Janelle Erickson, designated agent, Austin, Priddy, Dep. 3.00	
12-15-71	10- Order cancelling hearing on pretrial conference filed	
12-15-71	11- Order setting time for filing of brief by pltf & response filed	
12-15-71	12- Order setting pre-trial conference Austin, 12-22-71 9:00 A.M. Copies mailed to Attya for both sides	
12-17-71	13- Dft's Original Answer filed Copies mailed to all Judges	
12-22-71	14- Minutes of Pre-Trial Conference, filed.	
"	15- Order Setting time Limits under Rules 30, 31, 33, 34 & 36 FRCivP, filed. copies to Judges, Attya of Record & Master, et al. See paper #12, A-71-CA-142 for Original.	
"	16- Order Granting Motion for Intervention of George L. Allen et al in A-71-CA-143, filed. Copies to Judges, Attya of Record & Master. Original order filed in A-71-CA-143.	
"	17- Order Assessing Parties for Expenses Incident to Hearing by Special Master, filed. Copies to Judges, Attya of Record & Master. See paper # 14, A-71-CA-143 for original.	
"	18- Order Appointing Special Master, filed. Copies to Judges, Attya of Record & Master, et al. See paper # 15, A-71-CA-142 for original.	
"	19- Oath of Special Master, filed. Copies to Judges, Attya of Record & Master, et al. See paper #16, A-71-CA-142 for original.	
"	20- Order by Special Master Calling for Filing of Alternate Plan(s), filed. Copies to Judges, Attya of Record & Master, et al. See paper # 17, A-71-CA-142 for Original.	
"	21- Order by Special Master Setting Pre-Hearing Conference, filed. Copies to Judges, Attya of Record & Master, et al. See paper #18, A-71-CA-142 for original.	
12-27-71	22- Dft. Orr's Motion to Reconsider Appointment of Special Master, filed. Copies to Judges, Master, et al.	
"	23- Dft. Orr's Objections to the Appointment of Special Master, filed. Copies to Judges, Master, et al.	
"	24- Dft. Orr's Brief in Support of Motion to Reconsider & KXKXKXKXKX Objections, filed. Copies to Judges, Master, et al.	
"	25- State Dfts. Motion in Opposition to Order Appointing Master, filed. Copies to Judges & Master, et al.	
"	26- State Dfts. Supplemental Memorandum of Authorities in Support of Motion in Opposition to Appointing Master, filed. Copies to Judges & Master, et al.	
12-28-71	27- State Dfts Request for Discovery, filed. Copies to Judges & Master, et al.	

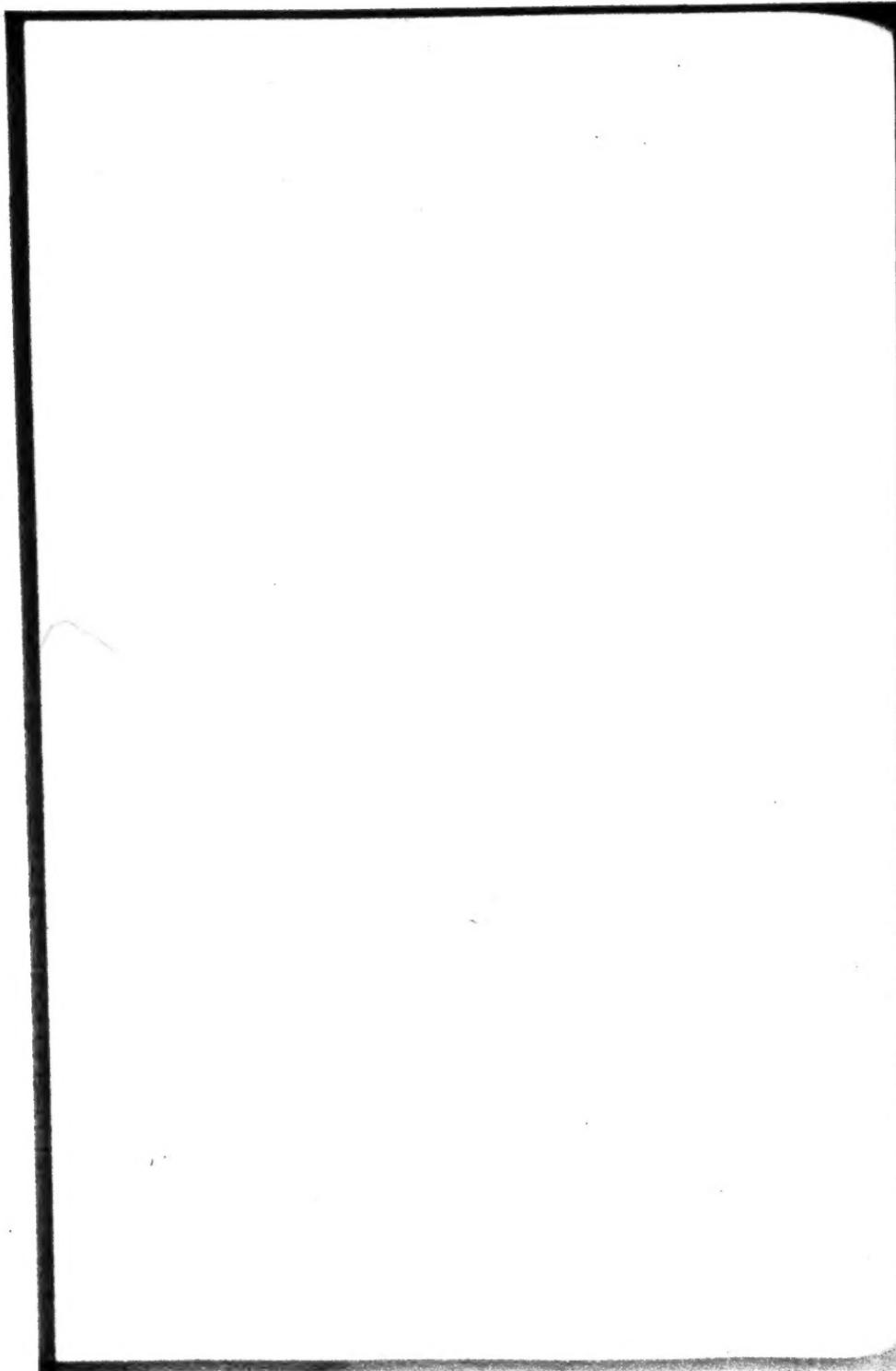
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D. C. 110 Rev. Civil Docket Continuation

DATE	PROCEEDINGS
12-28-71	28. Order Setting Aside Order Appointing Master & Setting Schedule, filed. Copies to Judges, Master & Attys of Record, sth.
"	29. Order Allowing Motion of Tom Crouch et al to Intervene in A-71-CA-144, filed. Copies to Judges & Attys of Record, sth.
"	30. Omnibus Order, filed. Copies to Judges & Attys of Record, sth.
12-30-71	31. Answers of Archer, et al to Defts. Interrogatorios, filed. Copies to Judges, sth.
"	32. Response of Archer et al to Rule 36 Admisions, filed. Copies to Judges, sth.
1-3-72	33. Order allowing payment for transcript daily recorded by reporter filed copies given
1-3-72	34. Trial Brief of Archer, et al, filed.
1-3-72	35. Motion for Dismissal or for Judgment filed.
1-3-72	36. Pre-Trial Memorandum Brief filed
1-4-72	37. Record of Proceedings Hearing on Pratrial Conference held 12-22-71 filed (see copy in A-71-CA-142)
1-4-72	38-Record of Proceedings Hearing on Pratrial Conference held 12-31-71 filed (see copy in A-71-CA-142)
1-4-72	39. Pretrial Order filed (see papers in A-71-CA-143)
1-6-72	40. Oral Deposition of Mr. Utah Kirk filed. (see papers in A-71-CA-142)
1-6-72	41. Oral Deposition of Mr. Richard Menchaca filed. (see papers in A-71-CA-142)
1-6-72	42. Order filed copies mailed to all judges and all attys
1-6-72	43. Stipulation filed
1-4-72	Trial opened opening statements, testimony began
1-5-72	Trial resumed
1-6-72	Deft. Orr Rest. State Deft. Rest. Rebuttal by Bernal Intervenors, Arguments, Post Trial Brief due 1-14-72, proposed findings and submit plans by 1-14-72
	Case taken under advisement
1-12-72	44- Memorandum of the Amici Curiae filed (with attachements) (see paper in A-71-CA-143)
1-14-72	45. Post Trial Brief and Argument & Proposed single member district plan for Dallas Co. filed (see papers in A-71-CA-144)
1-14-72	46. Post Trial Memorandum Brief, Findings and Conclusions of Pltf. Van Henry Archer, Jr., et al, & proposed single-member district map and proposes Reapportionment Senatorial Dist. Map Districts 19,21 & 26 filed
1-14-72	47. Defts' Brief filed (see papers in A-71-CA-142)
1-14-72	48. Findings of Fact and Conclusions of Law Proposed by the Defts. filed (see papers in A-71-CA-142)
1-14-72	49. Letter by defts' Attorney Samuel D. McDaniel and Comments on Mauzy Plan and Errors Noted in Mauzy Representative Districts Plan filed (see papers in A-71-CA-142)
1-14-72	50. Post-Trial Brief for Pltf-Intervenors Washington, et al, filed. (see papers in A-71-CA-144)
1-18-72	51. Order issue check \$2,100.00 as partial payment of said daily transcript to Jack D. Sykes filed
1-18-72	52. Map showing redistricting plan on a single-member basis for Dallas Co. Texas filed (see papers in A-71-CA-142)
1-25-72	53. Deposition pd by pltf. Register in amount \$361.47 (see papers in A-71-CA-142)
1-28-72	54. Opinion & Order filed
1-28-72	55. Deposition Bob Armstrong (originally filed 1-3-72)(see in A-71-CA-142)
1-28-72	56. Deposition Ben Barnes (originally filed 1-3-72)(see in A-71-CA-142)
1-28-72	57. Deposition Gus Muthcer (originally filed 1-3-72)(see in A-71-CA-142)
1-28-72	58. Oral Deposition Gregory Drew Hooser (originally filed 1-3-72)(see in A-71-CA-142)

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DATE	PROCEEDINGS	Date Order Judgment N
1-28-72	59 - Record of Proceedings Vols 1,2,3,4 on Jan 3,4,5,6 filed (see in A-71-CA-142).	
1-28-72	60- Oral Deposition Crawford C. Martin (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	61- Deposition Robert S. Calvert (originally filed 1-3-72) (see in A-71-CA-142)	
1-28-72	62- Deposition Robert Spellings \$249.25 to be pd by Pltf (originally filed 1-3-72) (see in A-71-CA-142)	
2-3-72	63- Pltfs' Motion to Amend Judgment filed (see papers A-71-CA-142)	
2-3-72	64- Affidavit filed (see papers A-71-CA-142)	
2-8-72	65- Order amending Opinion & Order to rectify clerical errors filed Copies mailed to attys for both sides.	
2-9-72	66- Motion to Allow Payment of Deposition costs filed	
2-11-72	67- Notice of Appeal to the Supreme Court of U.S. filed by Curtis Graves Pltf.	
2-15-72	68- Motion to Allow Payment of Deposition Costs filed (see paper in A-71-CA-142)	
2-15-72	69- Order granting Motion to allow payment of desposition costs filed (see paper in A-71-CA-142)	
2-18-72	70 Letter of request to certify complete record and transmit U.S. Supreme Court along with A-71-CA-143, A-71-CA-144, A-71-CA-145) filed (see paper in A-71-CA-142)	
2-28-72	71- Notice of Appeal to the Supreme Court of the U.S. Filed	
3-27-72	72- Notice of Appeal to the Supreme Court of the U.S. Preston Smith, Governor of Texas, Bob Bullock, Secty of State of Texas, Roy Orr, Chairman, Texas State Democratic Executive Committee, & the Texas Legislative Redistricting Board, composed of the following officials of the State of Texas: Ben Barnes Lt. Governor, G.E. Mutschler, Speaker of the House, Bob Armstrong, Commissioner of the General Land Office, Robert S. Calvert, Comptroller of Public Accounts & Crawford C. Martin, Atty. General filed	
4-9-72	73- Order Balance of funds deposited Registry Account of Austin Natl Bk. be transferred to the Registry Fund checking account with the Treasurer of U.S. filed Copies mailed to attys for both sides	
5-19-72	74- Order U.S. Supreme Court that probable jurisdiction has been considered for appeal filed (see paper in A-71-CA-143)	
11-14-72	75- Order U.S. Supreme Court judgment of the said U.S. District Court AFFIRMED	
1-22-73	76 - Motion of "Special Master" Schatzki, filed.	



IN THE
United States District Court
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CIVIL ACTION No. 5386

DIANA REGESTER, ROBERT G. MIMS,
B. C. CLAYTON, AND STEPHEN E. McCONNICO

Plaintiffs,

v.

BOB BULLOCK,
SECRETARY OF STATE OF THE STATE OF TEXAS, ET AL

Defendants.

PLAINTIFFS' ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME Diana Regester, Robert G. Mims, Joe David Clayton, Stephen E. McConnico and other individuals named as Plaintiffs above, on behalf of themselves and others similarly situated comprising the class hereinafter defined, and complaining of the Honorable Bob Bullock in his capacity as Secretary of State of the State of Texas, Roy Orr in his capacity as Chairman of the State Democratic Executive Committee, Dr. George Willeford in his capacity as Chairman of the State Republican Executive Committee, J. Burns Brown in his capacity as Chairman of the Smith County Democratic Executive Committee, and Gene Diedrick in his capacity as Chairman of the Republican Executive Committee of Smith County, Texas, hereinafter called

Defendants, and for cause of action would respectfully show:

I.

PARTIES — CLASS ACTION

Plaintiffs:

Plaintiff	Residence	Texas House of Representatives District Per Redistricting Board
Diana Regester	Nacogdoches County	4
Robert G. Mims	Bascom Road, Whitehouse, Smith County, Texas	14
Joe David Clayton	Old Kilgore, Highway Tyler, Smith County, Texas	2
Stephen E. McConnico	Box 78, New London, Rusk County, Texas	3

All Plaintiffs are qualified and duly registered to vote in elections for the Texas State House of Representatives in their respective districts.

CLASS ACTION:

Plaintiffs sue on behalf of themselves and all other qualified voters, registered and unregistered, within the several districts wherein the respective Plaintiffs reside as well as all other qualified voters in all other Texas State House of Representatives districts.

That the number of persons comprising the class so defined is so numerous as to make it impossible to bring them before the Court. That Plaintiffs, as qualified and registered voters, are fairly representative of the class as defined.

That by virtue of the foregoing, this action is properly brought by these plaintiffs as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure.

DEFENDANTS

The Defendant Bob Bullock is the duly qualified and acting Secretary of State of the State of Texas. That by the provisions of Article 1.03 of the Texas Election Code (Acts, 60th Leg., Ch. 723, p. 1860, § 3, 1967) he is, by virtue of his office, the chief election officer of the State of Texas and is charged with the duty, *inter alia*, of ". . . obtain(ing) and Maintain(ing) uniformity in the application, operation and interpretation of the election laws." Said Defendant may be served at his offices in the State Capitol Building in Austin, Texas.

The Defendant Roy Orr is the duly qualified and acting Chairman of the Texas State Democratic Executive Committee, and may be served with process at 320 Woodhaven, DeSoto, Dallas County, Texas.

The Defendant Dr. George Willeford is the duly qualified and acting Chairman of the Texas State Republican Executive Committee, and may be served with process at 310 Littlefield Building, Austin, Travis County, Texas.

The Defendant J. Burns Brown is the duly qualified and acting Chairman of the Smith County Democratic Executive Committee, and may be served with process at P. O. Box 908, Tyler, Smith County, Texas.

The Defendant Gene Diedrick is the duly qualified and acting Chairman of the Republican Executive Committee of Smith County, Texas, and may be served with process at 600 Barclay, Tyler, Smith County, Texas.

That pursuant to the provisions of 28 U.S.C. § 2284, Notice of Hearings in this suit must be given to the Honorable Preston Smith, Governor of the State of Texas at his office or official residence in Austin, Texas, and to the Honorable Crawford Martin, Attorney General of the State of Texas at his office in Austin, Texas.

II.**JURISDICTION**

This is a class action filed pursuant to 42 U.S.C. § 1983 to redress violations of rights secured to plaintiffs by the Fourteenth and Fifteenth Amendments to the United States Constitution as well as Article III, Section 26 of the Constitution of the State of Texas (Acts, Texas Legislative Redistricting Board, October 22, 1971,) reapportioning the Texas House of Representatives pursuant to Article III, Section 28 of the Constitution of the State of Texas in compliance with a writ of mandamus issued by the Supreme Court of Texas in the case of *Mauzy vs. The Legislative Redistricting Board*, et al, B-2955, Decision of the Justices, September 27, 1971, as now unofficially reported in the Texas Supreme Court Journal Volume 15, page 37 (hereinafter referred to as *Acts of Redistricting Board, Oct. 22, 1971*,) are constitutionally deficient and injunctive relief prohibiting implementation of the Acts and requiring that elections for the legislature be conducted under a constitutionally sufficient non-discriminatory reapportionment plan. This Court has jurisdiction pursuant to 28 U.S.C. § 1343 (3).

III.**STATEMENT OF PLAINTIFFS' POSITION**

By this Complaint, Plaintiffs seek to continue the efforts (first begun in the case of *Kilgarlin, et al vs. Martin, et al* in July, 1963) to secure legislative reapportionment in the State of Texas which is not discriminatory but which affords equal status and voting weight between all Texas voters consistent with the standards of the Fourteenth Amendment of the United States Constitution. In January of 1965 Plaintiffs in *Kilgarlin* successfully secured a summary judgment from the Court declaring the acts apportioning both

houses of the Texas Legislature discriminatory and violative of the Federal Constitution, but that Court withheld affirmative relief in an effort to provide the State Legislature an opportunity to enact a Constitutional apportionment scheme.

Subsequent thereto, the Texas Legislature did enact new reapportionments responsive to the Court's judgment and with knowledge of the constitutional standards made applicable to reapportionment as then recently expressed by the United States Supreme Court in *Reynolds vs. Sims*, 377 U.S. 533, and following decisions relating to companion cases. However, the act passed by the 59th Legislature reapportioning the Texas House of Representatives (House Bill 195) contained notoriously discriminatory provisions between its various districts and remained violative of Constitutional guarantees. In response, Plaintiffs in *Kilgarlin* renewed their challenge to the apportionment effected by House Bill No. 195, commencing proceedings again before that Court in the late summer of 1965.

After evidentiary hearing in the fall of 1965 and the submission of extensive briefs by all parties, that Court (by its Opinion dated February 2, 1966) sustained Plaintiffs' Complaint that the so called "flotorial" districts created by House Bill 195 were invidiously discriminatory, but rejected other complaints of the Plaintiffs, particularly including their position that the over-all range of deviation between the population of the various districts represented an unjustifiable and discriminatory treatment of Texas voters, holding that such deviations were, in effect, *de minimus* and that the burden rested upon Plaintiffs to disprove the availability of any rational, constitutionally permissible State policy which might justify such departures from population equality between districts. *Kilgarlin v. Martin*, 252 F.Supp. 404.

From such judgment, Plaintiffs prosecuted appeal to the United States Supreme Court, which thereafter, by Opinion dated February 20, 1967, reversed the judgment of that Court, holding that the population deviations in question were not *de minimus* and remanded the case for further hearing in which Defendants must assume the burden of proving that such discriminatory treatment was necessary and justifiable under a permissible State policy, *Kilgarlin vs. Hill*, 386 U.S. 120.

Thereafter, the 60th Texas Legislature, in apparent response to the Supreme Court's Opinion, effected the reapportionment of the House of Representatives by the passage of House Bill 911. While curing the discriminations previously imposed upon the voters of Dallas County and eliminating the vice of the flotorial districts, the Act perpetuated the identical legislative representation of Bexar County although the United States Supreme Court had specifically observed that such representation discriminated against the voters of Bexar County. In addition, despite the admonitions of the Supreme Court that the range of population deviations between the districts was discriminatory, absent justification, House Bill 911 effected a range of deviation between the populations of all the various districts which was for all practical purposes as great and discriminatory as those contained in the preceding Act.

Plaintiffs in *Kilgarlin* felt that House Bill 911 was passed in great haste and that the Constitutional vices and discriminations contained therein were well known to the Legislature. In view of this fact, and considering Plaintiffs in *Kilgarlin* own commitment to legislative processes, Plaintiffs in *Kilgarlin* relied upon an anticipation that the next session of the Legislature, to convene in January of 1969, would surely take steps to effect a constitutional reap-

portionment and eliminate the vices and discriminations contained in House Bill 911.

However, to their regret, the 61st Legislature undertook no measures whatsoever to devise and plan a Constitutional reapportionment of the House of Representatives. They then sought to prevail upon that Court to grant a hearing on the Legislative Redistricting Act of 1967, House Bill 911, continually from 1969 until that Court dismissed the Kilgarlin case, without notice or hearing, in June, 1971.

Meanwhile, the 62nd Session of the Texas Legislature convened in January, 1971, under strict constitutional mandate to redistrict both the Texas House of Representatives and the Texas Senate, or to have the job done for it by the Legislative Redistricting Board, created by Article III, Section 28 of the Constitution of the State of Texas. Such efforts were to prove disastrous, as shown by the fact that no reapportionment plan for the Texas Senate was ever voted upon, thus requiring the Legislative Redistricting Board to become operative.

Reapportionment of the Texas House of Representatives proved to be equally as disastrous. The bill finally passed by the 62nd Legislature, H.B. 783, was declared unconstitutional by the unanimous opinion of the Supreme Court of Texas, *from the bench*, after only thirteen minutes deliberation. *Smith, et al vs. Craddick, et al* S.W.2d (September 16, 1971).

Even then the Legislative Redistricting Board sought to evade its constitutional duty by voting four to one that it had no power to redistrict the Texas House of Representatives. The Supreme Court of Texas, again unanimously, issued a writ of mandamus ordering the Legislative Redistricting Board to redistrict the House. *Mauzy vs. Legislative Redistricting Board* S.W.2d (September 27, 1971).

The Legislative Redistricting Board, after having been forced to redistrict the House, enacted a plan on October 22, 1971, which is attached hereto and marked Exhibit "A" and incorporated herein for all purposes as if set out *in haec verba*. It is this plan which these plaintiffs attack in this lawsuit as being another unconstitutional chapter in the story of Texas Legislative Redistricting.

IV.

CAUSE OF ACTION

The Act of the Legislative Redistricting Board, October 22, 1971, proportioning the Texas House of Representatives should be declared unconstitutional, illegal, null and void for the following, among other reasons;

1. The Act of the Legislative Redistricting Board contains population deviations by districts which are not justified on any rational basis and which do not occur as a result of a rational state policy, i.e., State Representative District #3 is overpopulated by 5.8% and Legislative District #4 is underpopulated by 3.6%, a total population deviation of 9.4%;
2. The Act of the Legislative Redistricting Board, October 22, 1971, constitutes an effort to apportion the Texas House of Representatives by the use of varied mutually inconsistent approaches; population in some instances, geography in others, and, again pure politics in others appear to be the basis for the reapportionment;
3. Several, and perhaps most, of the districts were created for the benefit of incumbent members of the Texas House of Representatives;
4. There was no good faith effort on the part of the Legislative Redistricting Board to reapportion with as little population deviation as possible between districts; further, in the case of necessary deviation, little

effort was made to permit district population deviation based upon a real necessity to maintain the integrity of political subdivisions, the maintenance of compactness and contiguity in legislative districts and the recognition of natural or historical boundary lines and district orientations;

5. The Act of the Legislative Redistricting Board on October 22, 1971, lacks uniformity, consistency and rationalization and in many instances operates to minimize or cancel out the voting strength of racial or political elements in the various election districts and more particularly creates single member districts for some counties, for a large county such as Harris County, but provides multiple member districts so as to cancel out the voting strength of racial or political elements in Dallas County, Tarrant County, Bexar County, Jefferson County, Galveston County, McLennan County, Travis County, Nueces County, Hidalgo County, El Paso County and Lubbock County.

V.

RELIEF

WHEREFORE, Plaintiffs pray (1) that defendants be cited to appear and answer herein; (2) that the Court enter an order pursuant to Rule 23 F.R.C.P. adjudging this suit to be a class action on behalf of all qualified voters in the State of Texas; (3) that in accordance with the Fourteenth and Fifteenth Amendments of the United States Constitution that a declaratory judgment declaring such acts of the Legislative Redistricting Board of October 22, 1971, unconstitutional and void; (4) that the Court appoint a master under Rule 53 of F.R.C.P. to hold hearings and arrive at a plan that is constitutionally sufficient for the apportionment of the Texas House of Representatives; (5) that said master report back to the Court and that the Court hold an evidentiary hearing to determine the constitutionality

of such master's plan; (6) that this Honorable Court adopt a constitutionally sufficient plan for the Texas House of Representatives and make Findings of Fact and Conclusions of Law; (7) the Plaintiffs pray that all costs be adjudged against the Defendants; and the Court retain jurisdiction and render such further orders as may seem appropriate and for other relief at law and in equity as the Plaintiffs might be entitled.

Respectfully submitted,

By TONY KORIOTH
Tony Korioth
315 Westgate Building
122 Colorado
Austin, Texas 78701

MULLINAX, WELLS, MAUZY &
BAAB, INC.
1601 National Bankers
Life Bldg.
Dallas, Texas 75201

By OSCAR H. MAUZY
Oscar H. Mauzy

IN THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CIVIL ACTION NO. 5386

DIANA REESTER, ROBERT G. MIMS,
B. C. CLAYTON, and STEPHEN E. McCONNICO,

Plaintiffs,

v.

BOB BULLOCK,
SECRETARY OF STATE OF THE STATE OF TEXAS, ET AL

Defendants.

**DEFENDANTS' ORIGINAL ANSWER TO COMPLAINT
AND COMPLAINT IN INTERVENTION**

Defendant, BOB BULLOCK, Secretary of State of the State of Texas, answers the complaint in the above captioned lawsuit as follows:

I.

Defendant BOB BULLOCK requests a three judge district court under the provisions of 28 U.S.C. 2281 and 2284 and would show the Court that while Plaintiffs attempt to avoid the operation of the above statutes by couching their pleadings in terms of a declaratory judgment action, the inevitable result of the judgment of this Court, should it be against Defendants, would be an injunction under 28 U.S.C. 2283 to effectuate this Court's judgment; and that, therefore, this is a matter which requires a three judge Court.

II.

Defendant, BOB BULLOCK, can neither admit nor deny the allegations of Paragraph I because of insufficient information; however, Defendant BOB BULLOCK has no objection to the suit being prosecuted as a class action provided it is a proper suit for class action, the class is defined, and all members of the class will be bound by the judgment. Defendant BOB BULLOCK admits that he is the chief election officer of the State of Texas.

III.

In reply to Paragraph III of the complaint Defendant denies that there is a violation of rights secured to the Plaintiffs by the Constitution of the United States and the State of Texas and denies that any civil rights secured by 42 U.S.C. 1983 have been violated and denies that this Court has jurisdiction under 28 U.S.C. 1443(3).

IV.

The statement of Plaintiffs position contained in Paragraph III of the complaint is argument and not a pleading of a cause of action and is neither admitted nor denied because, while Defendant does not agree with some of the allegations therein made, such allegations lack relevancy to the framing of the issues presented by this suit. Defendant does deny the allegation in that Paragraph that the present Redistricting Plan for the Texas House is unconstitutional.

V.

In reply to Paragraph IV of the complaint, the Defendant denies that the apportionment of the Texas House of Representatives is unconstitutional, illegal, null or void, and in particular denies the Sub-paragraphs of Paragraph IV of the complaint, as follows:

Sub-paragraph 1 is denied except insofar as it alleges that State Representative District No. 3 is overpopulated by 5.8% and District No. 4 is underpopulated by 3.6%, which is admitted.

Sub-paragraphs 2, 3, 4 and 5 are denied.

VI.

Defendant prays the Court that Plaintiffs be denied any relief under Sub-divisions 3 through 7 of their prayer for relief.

VII.

ANSWER TO INTERVENTION

Defendant BOB BULLOCK has no objection to the intervention of ELBERT TURNER, GENE FREELAND, J. W. SIFFORD and HENRY MUÑOZ. Defendant BOB BULLOCK does object to the intervention of the Texas AFL-CIO on the basis that the union has no standing, in that the union is not a person and is not a voter.

VIII.

Defendant BOB BULLOCK denies Paragraph 1 of the complaint in intervention insofar as it asserts that the union "is entitled to sue on behalf of its members to assert that the redistricting scheme of the Texas House of Representatives operates to, and was designed to operate to cancel and/or dilute the voting strength of identifiable political and economic elements within the aforesaid counties," and neither admits nor denies the remainder of the allegations of that Paragraph because of insufficient information.

IX.

In reply to Paragraph 2 of the complaint in intervention Defendant adopts the allegations of Paragraph II above.

X.

In reply to Paragraph 3, Defendant adopts the allegations of Paragraph III above.

XI.

In reply to Paragraphs 4, 5 and 6 Defendant denies the allegations.

XII.

Defendant respectfully prays that the Court deny any relief to intervenors.

XIII.

Defendant does affirmatively allege that no constitutional or statutory right of the Plaintiff or intervenors have been abridged by the apportionment of the Texas House of Representatives executed by the Texas Redistricting Board.

Respectfully submitted,

CRAWFORD C. MARTIN
Attorney General of Texas

.....
SAMUEL D. McDANIEL
Staff Legal Assistant
Box 12548, Capitol Station
Austin, Texas 78711

.....
PAT BAILEY
Assistant Attorney General
Box 12548, Capitol Station
Austin, Texas 78711

DEMAND FOR JURY TRIAL

Defendant BOB BULLOCK, as provided by Rule 38 of the Federal Rules of Civil Procedure hereby demands trial by jury on all issues of fact presented by the above captioned cause.

.....
SAMUEL D. Mc DANIEL

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing answer and demand for jury trial has been served upon the counsel for complainants and complaintants in intervention by United States mail this 24th day of November, 1971, addressed to Tony Korieth, 315 Westgate Building, 1122 Colorado, Austin, Texas and Oscar H. Mauzy, 1601 National Bankers Life Bldg., Dallas, Texas and David R. Richards, 600 West 7th, Austin, Texas.

.....
SAMUEL D. Mc DANIEL

IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

No. A-71-CA-142

DIANA REESTER, ET AL,

Plaintiff,

vs.

BOB BULLOCK,
SECRETARY OF STATE OF THE STATE OF TEXAS, ET AL

Defendants.

**ANSWER OF DEFENDANTS,
DR. GEORGE WILLEFORD, CHAIRMAN OF THE
TEXAS STATE REPUBLICAN
EXECUTIVE COMMITTEE,
GENE DIEDRICK, CHAIRMAN OF THE
REPUBLICAN COMMITTEE OF
SMITH COUNTY, TEXAS, AND MOTION TO BE
JOINED AS PARTIES PLAINTIFF**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW DEFENDANTS, Dr. George Willeford, in his capacity as Chairman of the Texas State Republican Executive Committee, and Gene Diedrick, in his capacity as Chairman of the Republican Executive Committee of Smith County, Texas.

I.

Defendants, Dr. George Willeford, in his capacity as Chairman of the Texas State Republican Executive Committee and Gene Diedrick, in his capacity as Chairman of

the Republican Executive Committee of Smith County, Texas, admit the allegations set forth in each and every paragraph of the complaint.

II.

Defendants, Dr. George Willeford, in his capacity as Chairman of the Texas State Republican Executive Committee, and Gene Diedrick, in his capacity as Chairman of the Republican Executive Committee of Smith County, Texas, will be required to administer elections for Representatives to the Texas House of Representatives and they believe that the Acts of October 22, 1971 of the Texas Legislative Redistricting Board do in fact violate the Fourteenth Amendment of the Constitution of the United States.

III.

Defendants, Dr. George Willeford, in his capacity as Chairman of the Texas State Republican Executive Committee, and Gene Diedrick, in his capacity as Chairman of the Republican Executive Committee of Smith County, Texas, cannot carry out their responsibilities to conduct elections for Representatives to the Texas House of Representatives under an unconstitutional apportionment plan.

WHEREFORE, Defendants, Dr. George Willeford and Gene Diedrick pray that they be realined as Parties Plaintiff pursuant to Rule 20, Federal Rules of Civil Procedure, in this cause and that this Court declare the Acts of October 22, 1971 of the Texas Legislature Redistricting Board unconstitutional and void; that this Court adopt a constitutionally sufficient plan for the Texas House of Representatives; and that this Court retain jurisdiction of this action and render

such further orders as may be appropriate and for other relief at law and in equity or to which they may be entitled.

Respectfully submitted,

GRAVES, DOUGHERTY, GEE,
HEARON, MOODY & GABWOOD

By R. JAMES GEORGE, JR.
R. James George, Jr.

Attorneys For Defendants,
DR. GEORGE WILLEFORD AND
GENE DIEDRICK

IN THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

CIVIL ACTION NO. 5386

DIANA REESTER, ROBERT G. MIMS,
B. C. CLAYTON, AND STEPHEN E. McCONNICO

v.

BOB BULLOCK,
SECRETARY OF STATE OF THE STATE OF TEXAS, ET AL

COMPLAINT IN INTERVENTION

TO THE HONORABLE JUDGE OF SAID COURT:

In accordance with Rule 23, 23.2 and 24 of the Federal Rules of Civil Procedure, the Texas AFL-CIO, an unincorporated association, and Elmer Turner, Gene Freeland, J. W. Sifford and Henry Munoz [hereinafter called Plaintiff-Intervenors] hereby intervene to allege that the plan for apportioning the Texas House of Representatives violates Plaintiff-Intervenors' right under the First, Fourteenth and Fifteenth Amendments to the Constitution of the United States, and under federal statutes including the Voting Rights Act of 1965, 42 U.S.C. Section 1973.

1.

Plaintiff-Intervenor Texas AFL-CIO is an unincorporated association composed of working men and women in the State of Texas, many of whom are residents of the Texas counties of Dallas, Bexar and Tarrant and is entitled to sue on behalf of its members to assert that the redistricting scheme of the Texas House of Representatives operates

to, and was designed to operate to cancel and/or dilute the voting strength of identifiable political and economic elements within the aforesaid counties. Similarly, Plaintiff-Intervenors Turner, Freeland, Sifford and Munoz are all citizens of the United States, residents and qualified electors of the State of Texas and are entitled to sue on their own behalf to challenge the constitutionality of the aforesaid redistricting act.

2.

Plaintiff-Intervenors adopt the allegations of paragraph I of Plaintiffs' Original Complaint with respect to the designation of parties.

3.

Plaintiff-Intervenors adopt the allegations of paragraph II of the Original Complaint as amended as regards the jurisdictional allegation.

4.

Plaintiff-Intervenors assert on their own behalf and on behalf of those they represent that the action of the Legislative Redistricting Board in reapportioning the Texas House of Representatives deprives them of rights and privileges guaranteed by the Constitution and laws of the United States and they seek a declaration of their rights under the aforesaid constitutional and statutory provisions in accordance with the provisions of 28 U.S.C. Section 2201.

5.

In this connection, as more specifically alleged below, Plaintiff-Intervenors allege that the reapportionment of the Texas House of Representatives was designed to, and

operates to, cancel out and/or dilute the voting strength of identifiable political and economic elements within the urban counties of the State of Texas.

6.

Plaintiff-Intervenors adopt the allegations of paragraph IV of Plaintiffs' Original Complaint. In addition thereto Plaintiff-Intervenors assert that the action of the Legislative Redistricting Board in reapportioning the Texas House of Representatives was conceived with an object of cancelling out or diluting the voting strength of identifiable political and economic elements of the urban counties of the State of Texas and that by its operation said reapportionment scheme will have as its principal effect cancelling out and/or diluting the voting strength of the economic and political elements represented by your Plaintiff-Intervenors.

WHEREFORE, premises considered, your Plaintiff-Intervenors respectfully pray that the Court enter an order pursuant to the provisions of 28 U.S.C. Section 2201 declaring that the act of the Legislative Redistricting Board on October 22, 1971 reapportioning the Texas House of Representatives is in violation of the Constitution and laws of the United States and is void and for such other further relief at law or in equity as Plaintiff-Intervenors might be entitled.

Respectfully submitted,

CLINTON & RICHARDS
600 West 7th
Austin, Texas 78701

.....
David R. Richards

PROOF OF SERVICE

This is to certify that a true copy of the foregoing Complaint in Intervention has been served upon counsel as noted below by placing in the United States mail, postage prepaid, this 22nd day of November, 1971:

TONY KORIOTH, Esq.
315 Westgate Building
Austin, Texas 78701

OSCAR H. MAUZY, Esq.
Mullinax, Well, Mauzy &
Babb, Inc.
1601 National Bankers
Life Bldg.
Dallas, Texas 75201

HONORABLE CRAWFORD MARTIN
*Attorney General of the
State of Texas*
Capitol Station
Austin, Texas 78711

Attn: Alfred Walker, Esq.

.....
David R. Richards

IN THE
DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

DIANA REESTER, ROBERT G. MIMS,
B. C. CLAYTON, and STEPHEN E. McCONNICO,

Plaintiffs,

v.

BOB BULLOCK,
SECRETARY OF STATE OF THE STATE OF TEXAS, ET AL

Defendants.

COMPLAINT IN INTERVENTION

JURISDICTION

1. This is an action pursuant to 42 U.S.C. § 1983 to redress denial under color of the laws of the State of Texas of certain rights, privileges and immunities secured to Plaintiff-Intervenors by the Fourteenth and Fifteenth Amendments to the Constitution of the United States. Jurisdiction is conferred upon this Court pursuant to 28 U.S.C. § 1343 (3) and (4). This is also an action pursuant to 28 U.S.C. §§ 2201 and 2202 and Rule 57, F. R. Civ. P., for a declaratory judgment that the Act of the Legislative Redistricting Board of Texas enacted on the 22nd day of October, 1971 apportioning the State of Texas into Representative Districts is unconstitutional both upon its face and as applied to Plaintiff-Intervenors. Said Act, hereinafter referred to as "the Act," is attached hereto as Exhibit A and is made a part hereof by reference for all purposes. If the same be necessary, Plaintiff-Intervenors adopt the allegations of Paragraph II of the Original Complaint as amended as regards the jurisdictional allegation.

PRELIMINARY STATEMENT

2. This action involves the right of Plaintiff-Intervenors, individually and as members of the class or classes which they represent, to an equally effective vote and impact on the elective process for members of the Texas House of Representatives and to fair and equitable representation in said House. Plaintiff-Intervenors are being deprived of such right by a state statutory scheme (1) that provides for at-large, multi-member legislative districts in all major counties of the State of Texas except Harris County; (2) that, except for Harris County where single-member legislative districts are provided, no provision is made in said scheme for residential requirements of Representatives in all the other at-large, multi-member districts so as to distribute legislative representation equally throughout the respective areas of said districts; (3) that said scheme, including the Act in question and other electoral statutes of the State of Texas, makes no provision relating to political party primary elections for the nomination of party candidates for the Texas House of Representatives on a plurality vote basis but requires a majority vote in all cases and the same applies to special elections called to fill vacancies in Representative districts; (4) that in significant at-large, multi-member districts operates to minimize or cancel out the voting strength of Plaintiff-Intervenors and of the class or classes they represent, Plaintiff-Intervenors and their class or classes constituting an identifiable ethnic and political element of the voting population in the State of Texas generally and more particularly in the areas where some of Plaintiff-Intervenors reside, and (5) that as to certain legislative districts constitutes a sophisticated gerrymander so as to minimize the representation in the Texas House of Representatives of the class or classes to which Plaintiff-Intervenors belong.

PLAINTIFF-INTERVENORS

3. Plaintiff-Intervenors Joe J. Bernal, Leo Alvarado, John A. Longoria, Joe Garza, Albert A. Pena, III, Rene Gonzalez, Dario Chapa, and George Garza are Mexican-American citizens of the United States and residents and registered voters in the State of Texas and in the City of San Antonio, Bexar County, Texas.

4. Plaintiff-Intervenors Rene Gonzalez, Dario Chapa, George Garza and John A. Longoria in addition are residents of a ghetto or "barrio" area of San Antonio, Bexar County, Texas, the word "barrio" being used herein interchangeably and with the same legal meaning and effect as the word "ghetto."

5. Plaintiff-Intervenors Rubin Garza and Amador Garcia reside respectively in Robstown and Corpus Christi, Texas, both cities being located in Nueces County, Texas. Said Plaintiff-Intervenors are Mexican-American citizens of the United States and residents and registered voters in the State of Texas and in Robstown and Corpus Christi, Nueces County, Texas.

6. Plaintiff-Intervenors Leonelo Gonzales and Rodolfo Pena are residents of McAllen, Texas and Plaintiff-Intervenor Cruz Alaniz is a resident of Alamo, Texas. McAllen and Alamo, Texas are both located in Hidalgo County, Texas. Said Plaintiff-Intervenors are Mexican-American citizens of the United States and residents and registered voters in the State of Texas and in McAllen and Alamo, Hidalgo County, Texas.

7. Plaintiff-Intervenors Louis Estrada, Rene Martinez and Servando Martinez, Sr. are Mexican-American citizens of the United States and residents and registered voters

in the State of Texas and in the City of Dallas, Dallas County, Texas.

8. Plaintiff-Intervenors Louis Estrada and Servando Martinez, Sr. in addition are respectively residents of barrio areas of said City of Dallas known as West Dallas and Little Mexico.

9. All of the Plaintiff-Intervenors bring this action individually as residents and registered voters in the State of Texas and in the respective areas wherein they reside.

CLASS ACTIONS

10. All of the Plaintiff-Intervenors, in addition and without waiving their right to sue herein individually, bring this action as representatives of the Mexican-American population of the State of Texas under the provisions of Rule 23(a), F. R. Civ. P. In this connection Plaintiff-Intervenors say that the Mexican-American population of the State of Texas constitutes a major ethnically and culturally identifiable group or class within the general or total as well as the voting population of the State of Texas and that said class suffers from common, adverse and distinct problems in the fields of education, employment, health, politics, economics and others and as a result of which said class is the subject of invidious and discriminatory treatment for the correction of which said class requires fair and equitable representation in the Legislature of the State of Texas. Said class is concentrated geographically in the area comprising the Representative districts under the Act in question listed in said Act as numbers 31, 38, 39, 40, 41, 45, 46, 47, 48, 49, 50, 51, 56, 57, 58, 59, 69, 70, 71 and 72. Additional smaller but still sizeable "pockets" of this class are to be found in barrios in cities such as Houston, Austin, Fort Worth, Lubbock and others as well as in the West

Dallas and Little Mexico areas of the City of Dallas, Dallas County, Texas. Wherever located, whether inside or outside the area comprising the twenty Representative districts listed above, said class suffers from common, adverse and distinct problems in the fields hereinabove recited. For convenience in pleading said class hereafter will be referred to as Class A.

11. Said Class A is so numerous that joinder of all members of the class is impracticable; there are questions of law or fact common to the class; the claims of the Plaintiff-Intervenors are typical of the claims of the class; and said parties will fairly and adequately protect the interests of the class and of all others similarly situated.

12. Plaintiff-Intervenor Rubin Garza, in addition and without waiving his right to sue individually or as representative of Class A, sues herein as representative of the Mexican-American population of Robstown, Texas, said population comprising, upon information and belief, approximately eighty per cent of the total population of Robstown most of which resides in Mexican-American barrios in said city. To all intents and purposes except for the fact that it is restricted to a smaller geographical area, this Mexican-American population group has characteristics identical to those of Class A and is hereinafter referred to as Class B. Said Class B nevertheless is so numerous that joinder of all members of the class is impracticable; there are questions of law or fact common to the class; the claims of Plaintiff-Intervenor Rubin Garza are typical of the claims of the class; and said party will fairly and adequately protect the interests of the class and of all others similarly situated.

13. Plaintiff-Intervenors Rene Gonzalez, Dario Chapa, George Garza and John A. Longoria, in addition and with-

out waiving their right to sue individually or as representatives of Class A, sue herein as representatives of the Mexican-American population of the areas known generally as West and South San Antonio and located in the City of San Antonio, Bexar County, Texas. Said parties reside in said areas which also constitute Mexican-American barrios in said city. Said area, on information and belief, have a Mexican-American population ranging, block by block, from 60 to 70 per cent to almost 100 per cent of the total population of the area. Except as to the geographical area in question this Mexican-American population group has characteristics identical to those of Classes A and B and is hereinafter referred to as Class C. Said Class C, as the others, is so numerous that joinder of all members of the class is impracticable; there are questions of law or fact common to the class; the claims of Plaintiff-Intervenors Rene Gonzalez, Dario Chapa, George Garza and John A. Longoria are typical of the claims of the class; and said parties will fairly and adequately protect the interests of the class and of all others similarly situated.

14. Plaintiff-Intervenors Louis Estrada and Servando Martinez, Jr., in addition and without waiving their right to sue individually or as representatives of Class A, sue herein respectively as representatives of the Mexican-American population in the areas known generally as West Dallas and as Little Mexico and located in the City of Dallas, Dallas County, Texas. Plaintiff-Intervenor Louis Estrada resides in West Dallas while Plaintiff-Intervenor Servando Martinez, Sr. resides in Little Mexico. Both of said areas constitute Mexican-American barrios with West Dallas, on information and belief, having more than fifty per cent Mexican-American population and the remainder of its population being mostly Negro, and Little Mexico on information and belief, having a Mexican-American popula-

tion of at least eighty per cent. Except for the different geographical areas involved, the Mexican-American population in West Dallas and Little Mexico has characteristics identical to those of Classes A, B, and C and is hereinafter referred to as Class D. Said Class D, as the others, is so numerous that joinder of all members of the class is impracticable; there are questions of law or fact common to the class; the claims of Plaintiff-Intervenors Louis Estrada and Servando Martinez, Sr. are typical of the claims of the class; and said parties will fairly and adequately protect the interests of the class.

DEFENDANTS

15. Plaintiff-Intervenors adopt the allegations of Paragraph I of the Original Complaint with respect to the designation of parties defendant.

FACTS

16. As shown by Exhibit A, the Legislative Redistricting Board of Texas on the 22nd day of October, 1971, pursuant to the provisions of Article III, Section 28, of the Texas Constitution enacted the Act in question herein by which said Board apportioned the State of Texas into Representative Districts for the purpose of electing members of the Texas House of Representatives. Said Act is now the law in the State of Texas and will govern the election of all members of the Texas House of Representatives for the voting year of 1972 and thereafter until the State is again reapportioned as provided by law.

17. As shown by Exhibit A, said Act apportioned the State of Texas into eleven multi-member districts which will elect a total of sixty Representatives and ninety single-

member districts which will elect one Representative apiece for a total membership of 150 in said House of Representatives.

18. Of the ninety single-member districts, a total of 23 are located within Harris County, Texas, said county being the only major county in the State which was subdivided into single-member districts. These 23 districts are numbers 78 through 100 in Exhibit A. All the other major counties and metropolitan areas in the State were placed in multi-member districts. A list of said counties and areas together with the number of each district and the number of Representatives in each district is as follows:

County (Metropolitan Area)	Representative District	Number of Representatives
Jefferson (Beaumont-Port Arthur)	7	3
Galveston (Galveston)	19	2
Dallas (Dallas)	26	18
Tarrant (Fort Worth)	32	9
McLennan (Waco)	35	2
Travis (Austin)	37	4
Bexar (San Antonio)	46	11
Nueces (Corpus Christi)	48	3
Hidalgo (Rio Grande Valley)	39	2
El Paso (El Paso)	72	4
Lubbock (Lubbock)	75	2
TOTAL		60

19. Neither the Act in question nor any other statutory or constitutional provision of the State of Texas requires that the multi-member districts be subdivided or subdivided for purposes of residence so as to distribute representation equally throughout each district except in Harris County where by virtue of the single-member districts provided for said County the population and voters are given true equality of representation.

20. Neither the Act in question nor any other statutory or constitutional provision of the State of Texas provides for nomination on a plurality vote basis of candidates for Representative districts in political party primary elections or in special elections called to fill vacancies in Representative districts. Rather, nomination or election is based on a majority vote basis. requiring, if necessary, the holding of run-off elections for the purpose of insuring a majority vote for the candidate nominated or elected.

21. The Mexican-American population in the State of Texas is a major significant and generally homogeneous ethnic group in said State and comprises approximately twenty per cent of the total population of Texas. This group is culturally identifiable by virtue of language, customs, history, physical characteristics and other factors.

22. Because of long standing social, legal, economic, political, educational and other widespread and prevalent restrictions, customs, traditions, biases and prejudices, some of a *de jure* and some of a *de facto* character, the Mexican-American population of the State of Texas whether residing in metropolitan or smaller urban areas or in rural areas or communities, has historically suffered from, and still does, the results and effects of invidious discrimination and treatment in the fields of education, employment, health, politics, economics and others. As a result thereof this population

group in the cities, towns, urban and metropolitan areas generally resides in barrios characterized by a higher relative density of population and a higher relative proportion of substandard housing than in the overall areas of each town, city, urban area or metropoli. Said barrios are predominantly inhabited by members of the Mexican-American ethnic group most of whom are of a lower socio-economic status than the prevailing status in the town, city, urban area or metropoli wherein a given barrio is located.

23. This ethnic group is concentrated geographically in the area comprising the Representative districts listed in Paragraph 10 herein. As stated above, other sizeable "pockets" of this group are found in barrios located in cities such as Houston, Austin, Fort Worth, Lubbock and others as well as in the West Dallas and Little Mexico areas of the City of Dallas, Dallas County, Texas. This group statewide is encompassed within the class denominated as Class A in this suit. Additionally specific barrios are located in Robstown, Nueces County, Texas with the Mexican-American population in said barrio being represented by Class B herein; in the West and South parts of San Antonio, Bexar County, Texas with the Mexican-American population in said barrios being represented herein by Class C; and in the West Dallas and Little Mexico area of the City of Dallas, Dallas County, Texas with the Mexican-American population therein being represented by Class D.

24. Because of the situation facing the Mexican-American population in Texas as a statewide class as denominated by Class A or as a class in the specific areas hereinabove referred to in connection with Classes B, C and D, this group has common interests in substantive legislation to resolve the many problems besetting the group in the various fields hereinabove mentioned. Accordingly, said

group has the right to exercise the full force and effect of its voting strength in the nomination and election of members of the Texas House of Representatives and not to have said strength cancelled, diluted or minimized by an apportionment scheme that operates in an inviduously discriminatory manner against said group both on a statewide basis and in specific areas of barrios where said group predominates in substantial numbers.

FIRST CAUSE OF ACTION

25. In respect to this First Cause of Action, Plaintiff-Intervenors reaver and incorporate herein by reference all of the allegations contained in Paragraphs 1 through 24 above the same as if they were fully set forth herein.

26. All of the Plaintiff-Intervenors as individual citizens of the United States and residents and voters of the State of Texas and of the respective areas wherein each resides allege that the Act in question is unconstitutional for the reason that it creates 23 single-member districts in Harris County but creates 11 multi-member districts for 60 Representatives without providing for residential subdistricts so as to insure representation from the various areas of the multi-member districts who have from 2 to 18 Representatives nominated or elected at-large and by doing so violate Plaintiff-Intervenors' guarantees of equal protection of the laws and the right to vote pursuant to the Fourteenth and Fifteenth Amendments to the United States Constitution.

SECOND CAUSE OF ACTION

27. In respect to this Second Cause of Action, Plaintiff-Intervenors reaver and incorporate herein by reference all of the allegations contained in their First Cause of Action the same as if they were fully set forth herein.

28. All of the Plaintiff-Intervenors as individual Mexican citizens of the United States and as residents and voters of the State of Texas and of the respective areas wherein they reside and as representatives of Class A herein and on behalf of said Class and others similarly situated, allege that the Act in question is unconstitutional for said Act fails to establish residential requirements for Representatives in all the multi-member districts so as to distribute legislative representation equally throughout the respective areas of said districts. Said Act further fails to provide for the nomination and election of Representatives in political party primary elections or in special elections on a plurality vote basis. Accordingly, the purpose and effect of the electoral scheme of said Act is to cancel, dilute and minimize the full force and effect of the voting strength of said class in the electoral process for the Texas House of Representatives and thereby violates said parties' guarantees of equal protection of the laws and the right to vote pursuant to the Fourteenth and Fifteenth Amendments to the United States Constitution.

THIRD, FOURTH AND FIFTH CAUSES OF ACTION

29. In respect to these Third, Fourth and Fifth Causes of Action, Plaintiff-Intervenors reaver and incorporate herein by reference all of the allegations contained in their First and Second Causes of Action the same as if they were fully set forth herein.

30. All of the Plaintiff-Intervenors cited hereinabove as representatives as Classes B, C and D, as individual Mexican-American citizens and as residents and voters of the State of Texas and of the respective areas wherein they reside and as representatives of their respective classes and on behalf of their respective classes and all others similarly situated, allege as to each class mentioned herein

and by way of cause of action as to each class, that the Act in question is unconstitutional for said Act fails to establish residential requirements for Representatives in the multi-member districts relating to Nueces, Bexar and Dallas Counties so as to distribute legislative representation throughout said counties and in the concomittant multi-member Representative districts. Said Act as to said counties fails to provide for the nomination and election of Representatives in political party primary elections or in special elections on a plurality vote basis. Accordingly, the purpose and effect of the electoral scheme of said Act is to cancel, dilute and minimize the full force and effect of the voting strength of Classes B, C and D in Nueces, Bexar and Dallas Counties and in their concomittant multi-member Representative Districts as it relates to the electoral process for the Texas House of Representatives and thereby violates said parties' guarantees of equal protection of the laws and the right to vote pursuant to the Fourteenth and Fifteenth Amendments to the United States Constitution.

SIXTH CAUSE OF ACTION

31. In respect to this Sixth Cause of Action, Plaintiff-Intervenors reaver and incorporate herein by reference all of the allegations contained in their First through Fifth Causes of Action the same as if they were fully set forth herein.

32. All of the Plaintiff-Intervenors, as individual Mexican-American citizens of the United States and as residents and voters of the State of Texas and of the respective areas wherein they reside and as representatives of Class A herein and an behalf of said class and all others similarly situated, allege that the Act in question is unconstitutional for said Act constitutes a sophisticated gerrymander so as to

minimize the representation in the Texas House of Representatives of said class. In this connection said parties allege on information and belief that certain Representative districts set forth in said Act (to wit: Districts, 47, 39, 45, 56 and 70), counties with high proportions of Mexican-American population which have been combined with counties wherein this ethnic group is in very low proportion so as to cancel, dilute and minimize the voting strength of this ethnic group as it relates to the electoral process for the Texas House of Representatives and to negate any possibility for said group to obtain fair and equitable representation in said House on the same basis as other significant racial, ethnic and political segments of the State's population. Accordingly, said Act thereby violates said parties' guarantees of equal protection of the laws and the right to vote pursuant to the Fourteenth and Fifteenth Amendments to the United States Constitution.

SEVENTH CAUSE OF ACTION

33. In respect to this Seventh Cause of Action, Plaintiff-Intervenors reaver and incorporate herein by reference all of the allegations contained in their First through Sixth Causes of Action the same as if they were fully set forth herein.

34. All of the Plaintiff-Intervenors, individually and as representatives of and on beralf of the classes which each one represents and all others similarly situated, adopt the allegations of Paragraph IV of the Original Complaint.

PRAYER

WHEREFORE, Plaintiff-Intervenors, individually and as representatives of the various Classes herein and on behalf of all others similarly situated, pray that the Court:

- A. Grant intervention as a matter of right pursuant to Rule 24(a)(2), F. R. Civ. P., or, in the alternative, as a matter of permissive intervention pursuant to Rule 24(b) (2), F. R. Civ. P.
- B. Order that where applicable this matter be litigated as a class action.
- C. Declare the Act in question of the Legislative Redistricting Board of Texas to be unconstitutional, null and void and of no legal force and effect.
- D. Appoint a Master pursuant to Rule 53, F. R. Civ. P., to hold hearings to be open to all persons and classes for the purpose of arriving at a plan that is constitutionally sufficient for the apportionment of the Texas House of Representatives and to make such findings of fact and conclusions of law as are proper or necessary.
- E. Hold such other and further hearings upon the findings, conclusions and report of such Master and for taking such additional evidence as is necessary for the consideration of a constitutionally sufficient plan for the apportionment of the Texas House of Representatives.
- F. Adopt such a constitutionally sufficient plan and make such Findings of Fact and Conclusions of Law as may be necessary.
- G. Adjudge all costs against the Defendants including reasonable attorney's fees.
- H. Retain jurisdiction to render such further and additional orders as it may from time to time deem appropriate.

I. Grant such other and adadditional relief, at law or at equity, as may be appropriate.

Respectfully submitted,

/s/ ED IDAR, JR.

ED IDAR, JR.

MARIO OBLEDO

JIM HEIDELBERG

GEORGE KORBEL

319 Aztec Building

211 East Commerce Street

San Antonio, Texas 78205

FRANK HERNANDEZ

HERNANDEZ, CAZORLA &

ALEXANDER

300 Southwest Building

Dallas, Texas 75202

*Attorneys for Plaintiff-
Intervenors*

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing Complaint in Intervention has been served upon counsel and parties as noted below by placing in the United States mail, postage prepaid, this 24th day of November, 1971.

Tony Korieth, Esq.
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1601 National Bankers Life Bldg.
Dallas, Texas 75201

David R. Richards
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Hon. Preston Smith
Governor of the State of Texas
Capitol Building
Austin, Texas

Hon. Bob Bullock
Secretary of State of the State of Texas
Capitol Building
Austin, Texas

Hon. Crawford Martin
Attorney General of the State of Texas
Capitol Station
Austin, Texas 78711
Attn: Alfred Walker, Esq.

Mr. Roy Orr, Chairman
Texas State Democratic Executive Committee
320 Woodhaven
DeSoto, Texas

Dr. George Willeford, Chairman
Texas State Republican Executive Committee
310 Littlefield Bldg.
Austin, Texas

Mr. J. Burns Brown, Chairman
Smith County Democratic Executive Committee
P. O. Box 908
Tyler, Texas

Mr. Gene Diedrick, Chairman
Smith County Republican Executive Committee
600 Barclay
Tyler, Texas

/s/ ED IDAR, JR.
Ed Idar, Jr.

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CIVIL ACTION No. A 71-CA-143

DIANA REESTER, ROBERT G. MIMS,
B. C. CLAYTON AND STEPHEN E. McCONNICO,

Plaintiffs,

v.

BOB BULLOCK,
SECRETARY OF THE STATE OF TEXAS, ET AL.

Defendants,

GEORGE L. ALLEN, DR. E. J. CONRAD,
REV. ZAN W. HOLMES, JR., ET AL

Intervenors.

INTERVENORS' COMPLAINT

TO THE HONORABLE JUDGES OF SAID COURT:

I.

This is a class section pursuant to Rule 23(a), 23(b) and 24 of the Federal Rules of Civil Procedure (hereinafter called Plaintiff-Intervenors) hereby intervene to challenge the constitutionality of the plan for apportioning the Texas House of Representatives as violative of said Plaintiff-Intervenors' rights guaranteed by the Fourteenth and Fifteenth Amendments to the United States Constitution.

II.

Jurisdiction is conferred upon this Court by 28 United States Code, Section 1343, providing for jurisdiction over claims arising under 42 United States Code, Sections 1971, 1981, 1983 and 1988. This is further a proceeding for a declaratory judgment, pursuant to Title 28 United States Code, Sections 2201 and 2202 to determine and define the legal rights and relations of Plaintiff-Intervenors as they relate to the power, duties and responsibilities of the Texas State Redistricting Board to insure that any apportionment plan does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

III.

Plaintiff-Intervenors are George L. Allen, City Councilman for the City of Dallas, Texas, Dr. E. J. Conrad, Trustee of the Dallas Independent School District and Rev. Zan W. Holmes, Jr., State Representative, Place 5, Dallas County, Texas, all black resident citizens and qualified voters in Dallas County, Texas.

IV.

Plaintiff-Intervenors, pursuant to Rule 23(b)(1) and (b)(2) of the Federal Rules of Civil Procedure bring this action on their own behalf, on behalf of all black resident citizens and qualified voters in Dallas County, Texas. The class is so numerous that joinder of all members is impracticable; there are questions of law and fact common to the class; the claims and defenses of Plaintiff-Intervenors are typical of the claims and defenses of the class; and Plaintiff-Intervenors will fairly and adequately protect the interest of the class. Adjudication with respect to individual members of the class would as

a practical matter be dispositive of the interest of the other members not parties to the adjudication. Defendants have acted or refused to act on grounds generally applicable to the class, thereby making appropriate final declaratory relief with respect to the class as a whole.

V.

Plaintiff-Intervenors adopt the allegations of Paragraph 1 of Plaintiffs' Original Complaint with respect to the designation of parties.

VI.

Acting under color of the authority conferred upon them by the provision of Section 28, Article III of the Texas Constitution, the Defendants have adopted and are presently pursuing a plan, policy and practice in which all qualified voters of Dallas County are entitled to vote for one candidate for the House of Representatives in each of eighteen places on the ballot.

VII.

There exist in Dallas County areas which are continuous and circumscribed by certain known geographic boundaries and which areas are hereinafter referred to as the Dallas County Black Community. Said areas have certain definable racial, social, economic and political characteristics which cause the residents and the voters therein to be a cognizable minority interest group.

VIII.

Long years of systematic and deliberate oppression, discrimination, enforced poverty, and political neglect have deprived black residents of Dallas County from participating in the political systems through obvious dis-

criminator election schemes intentionally designed to dilute or cancel out the vote of said black residents.

IX.

The black residents of Dallas County have areas of specific concern of which heretofore have not been dealt with in a manner that satisfied them but they have no way to express their dissatisfaction with their representative because those representatives did not have to rely on their vote for election anyway.

X.

Permitting all residents of Dallas County to vote for all candidates for the Texas House of Representatives without regard to the interest of the residents has as its affect to deny the Dallas County Black Citizens their right to vote thus in contravention to the Fifteenth Amendment to the United States Constitution.

XI.

Permitting all candidates to run at large in Dallas County has the invidious effect of placing black candidates from Dallas County in direct competition with white candidates who are better financed, more exposed to the white majority electorate which has the final say-so as to who is elected is in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

XII.

Permitting the residents of Harris County to elect REPRESENTATIVES on a single member district basis accords preferential treatment to residents of said Harris County to the according of multi-member at large representatives to Dallas County residents and all other counties with the large populations is in violation of the Equal Protection Clause of the Fourteenth and Fifteenth Amendments to the United States Constitution.

WHEREFORE, Plaintiff-Intervenors prays that upon trial hereof, that the Court enter an Order declaring the Act of the Texas Legislative Redistricting Board in violation of the Equal Protection Clause of the Fourteenth and Fifteenth Amendments to the United States Constitution as having the affect of invidiously discriminating against the black voters of Dallas County and denying said black voters the right to vote, and that this Court adopt a single-member apportionment plan to ensure compliance with well-known constitutional principles of law, and that the Court retain jurisdiction and render such further orders and other relief at law and in equity as may be appropriate and as these Plaintiffs-Intervenors may be entitled.

Respectfully submitted,

.....
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Attorneys for Plaintiff-Intervenors
GEORGE L. ALLEN
DR. E. J. CONRAD
REV. ZAN W. HOLMES, JR., ET AL.

PROOF OF SERVICE

This is to certify that a true copy of the foregoing Motion to Intervene and Intervenors' Complaint has been served upon counsel as noted below by personally delivering a copy of same to each of them on this the 22nd day of December, 1971:

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Honorable Crawford Martin
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Walter L. Irvin, Esq.
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Cleo Steele, Esq.
2818 Pennsylvania
Dallas, Texas 75215

E. BRICE CUNNINGHAM

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

No. CA-3-5241-A

JOHNNY MARRIOTT, ET AL.,

Plaintiffs,

v.

PRESTON SMITH,
Governor of the State of Texas,

BOB BULLOCK,
Secretary of State of the State of Texas,
the Texas Legislative Redistricting Board,

BEN BABNES,
Lieutenant Governor of the State of Texas,

G. F. MUTSCHER,
Speaker of the Texas House of Representatives,

BOB ARMSTRONG,
Commissioner of the General Land Office,

ROBERT S. CALVERT,
Comptroller of Public Accounts, and

CRAWFORD MARTIN,
Attorney General of Texas,

Defendants.

PLAINTIFFS' ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

I.

PRELIMINARY STATEMENT

Plaintiffs, individually and on behalf of all other persons similarly situated, seek to have this Court declare

invalid and enjoin elections being conducted pursuant to those apportionment plans of the Texas House of Representatives of the State of Texas promulgated and adopted by the Texas Legislative Redistricting Board and filed with the Secretary of State. Such apportionment plans are challenged on the grounds that they are in conflict with the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

II.

JURISDICTION

1. Jurisdiction is conferred upon this Court by 28 U.S.C. § 1343.
2. Plaintiffs' action for declaratory and injunctive relief is authorized by 28 U.S.C. § 2201 and 2202.

III.

THREE-JUDGE COURT

This is a proper case for determination by a Three-Judge Court pursuant to 28 U.S.C. § 2281 and 2284, and that Plaintiffs seek an injunction to restrain the Defendants, who are State officers, from the enforcement, operation and execution of a State statute, the apportionment plans of the Texas House of Representatives of the State of Texas, of state-wide applicability on the grounds that said statutes are contrary to the Constitution of the United States.

IV.

PLAINTIFFS

1. The Plaintiff, Johnny Marriott, is a resident of the State of Texas and resides in the County of Dallas, in the State of Texas, and within the City of Hutchins, in said

County is a duly registered and qualified voter. The aforesaid is a member of the Democratic Party and has a preference for those candidates of the Democratic Party running for office in the House of Representatives of the State of Texas.

2. The Plaintiff, C. Sims, is a citizen of the State of Texas and resides within the County of Dallas, and within the City of Dallas, within an area identifiable as a racial minority area. The aforesaid Plaintiff is a Negro and is a duly qualified and registered voter.

3. The Plaintiff, Mrs. Tom Sneary, is a resident of the State of Texas and resides in the County of Dallas, in the State of Texas, and within the City of Dallas, is a white female and is a duly registered and qualified voter.

4. The Plaintiff, W. C. Thetford, is a resident of the State of Texas and resides in the County of Dallas in the State of Texas, and within the City of Dallas, in said County is a duly registered and qualified voter.

5. The Plaintiff, Gwendolyn Ann Hickey, is a resident of the State of Texas and resides in the County of Dallas, in the State of Texas, and within the City of Dallas, is a white female and is a duly registered and qualified voter.

V.

CLASS ACTION

Plaintiffs bring this action on their own behalf and, pursuant to Rule 23 of the Federal Rules of Civil Procedure, on behalf of all other persons similarly situated. The members of the class similarly situated are all those individuals who are duly qualified and registered voters of the State of Texas and who reside in a County where two or more members of the Texas House of Representa-

tives are elected under the presently challenged plan of apportionment upon an at large basis. The requirements of Rule 23 are met in that the class is so numerous that joinder of all members is impractical; there are questions of law fact common to the class; the claims of the representative party are typical of the claims of the class; the representative parties will fairly and adequately protect the interest of the class; and the parties opposing the class have acted on grounds generally applicable to the class, thereby making appropriate final injunctive and declaratory relief with respect to the class as a whole.

VI.

DEFENDANTS

1. Defendant Preston Smith is the Governor of the State of Texas and the Chief Executive Officer of the State with the responsibility of enforcing the laws of the State of Texas.
2. Defendant Bob Bullock is the Secretary of State of the State of Texas and is the Chief Election Officer of the State of Texas with the responsibility of implementing the election laws of the State of Texas.
3. Defendant Ben Barnes is the Lieutenant Governor of the State of Texas and is a member of the Legislative Redistricting Board pursuant to the provisions of Section 28 of Article III of the Constitution of Texas.
4. Defendant G. F. Mutscher is the Speaker of the Texas House of Representatives and is a member of the Legislative Redistricting Board pursuant to the provisions of Section 28 of Article III of the Constitution of Texas.
5. Defendant Bob Armstrong is the Commissioner of the General Land Office and is a member of the Legislative

Redistricting Board pursuant to the provisions of Section 28 of Article III of the Constitution of Texas.

6. Defendant Robert S. Calvert is the Comptroller of Public Accounts and a member of the Legislative Redistricting Board pursuant to the provisions of Section 28 of Article III of the Constitution of Texas.

7. Defendant Crawford C. Martin is the Attorney General of the State of Texas and is a member of the Legislative Redistricting Board pursuant to the provisions of Section 28 of Article III of the Constitution of Texas.

8. The Legislative Redistricting Board, created pursuant to the provisions of Section 28 of Article III of the Constitution of Texas, has the duty of apportioning the Texas House of Representatives and the Senate of the State of Texas under the conditions specified therein, and such Board acting through the members thereof who have been made parties to this suit, has filed with the Secretary of State plans for the apportionment of the Texas House of Representatives and the Texas Senate.

9. The Plaintiffs sue each of the aforementioned Defendants, both individually and in his official capacity.

VII.

PLAINTIFFS' CAUSE OF ACTION

1. The Legislature of the State of Texas at its Regular Session in 1971 failed to enact a statute apportioning the Senate of the State of Texas as required by Section 28 of Article III of the Constitution of Texas.

2. The Legislature of the State of Texas at its Regular Session in 1971 enacted a statute apportioning the membership of the House of Representatives of the State of Texas,

but such enactment was subsequently held invalid by the Supreme Court of the State of Texas.

3. The Legislature of the State of Texas having failed to apportion the membership of the Texas House of Representatives and the Texas Senate pursuant to the provisions of Section 28 of Article III of the Constitution of Texas, the duty of making such apportionment is vested in the Legislative Redistricting Board pursuant to the provisions of Section 28 of Article III of the Constitution of Texas and such Board has apportioned both the Texas House of Representatives and the Texas Senate by plans filed with the Secretary of State of the State of Texas as required by the provisions of Section 28 of Article III of the Constitution of Texas.

4. Pursuant to the apportionment plans here challenged two or more members of the House of Representatives run at large within the same area in several instances, including the following: Dallas County, Travis County, Tarrant County, and Bexar County.

5. That each of the Plaintiffs resides in a district where two or more members of the House of Representatives run at large.

6. That the Plaintiff, Johnny Marriott, is a member of the Democratic Party and has a preference to vote for candidates representing the Democratic Party.

7. That there is an identifiable political element within the district within which the aforesaid Plaintiff resides which are the same political views and interests of the aforesaid Plaintiff. However, those individuals, such as the aforesaid Plaintiff, possessing such political views and preferences are in a minority.

8. That the Plaintiff, Gwendolyn Ann Hickey, is a white female, is of the Catholic faith, and is a university student.

9. That there is an identifiable political element within the district within which the aforesaid Plaintiff resides which are of the same political views and interests of the aforesaid Plaintiff. However, those individuals, such as the aforesaid Plaintiff, possessing such political views and preferences are in a minority.

10. That the Plaintiff, Mrs. Tom Sneary, is a white female, is a member of the Democratic Party and has a preference to vote for candidates representing the Democratic Party.

11. That there is an identifiable political element within the district within which the aforesaid Plaintiff resides which are of the same political views and interests of the aforesaid Plaintiff. However, those individuals, such as the aforesaid Plaintiff, possessing such political views and preferences are in a minority.

12. That the Plaintiff, W. C. Thetford, is a member of the Democratic Party and has a preference to vote for candidates representing the Democratic Party.

13. That there is an identifiable political element within the district within which the aforesaid Plaintiff resides which are of the same political views and interests of the aforesaid Plaintiff. However, those individuals, such as the aforesaid Plaintiff, possessing such political views and preferences are in a minority.

14. That the Plaintiff, C. Sims, is a Negro residing within one of the districts created by the challenged apportionment plans which elects two or more members of the Texas House of Representatives upon an at large

basis. That the aforesaid Plaintiff is a member of an identifiable racial element within the district which he resides, and such identifiable racial element have common interests of a political, social, and economic nature.

15. That the creation of multi-member districts of the Texas House of Representatives invidiously dilutes the force and effect and voting strength of the racial, religious, student and political group within their respective districts whch are represented by the Plaintiffs herein and such dilution or minimization violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

16. That the creation of single-member districts in the apportionment of the Texas House of Representatives, as opposed to multi-member districts, woudl equalize the voting strength and power among the districts of the State of Texas and would avoid the diluting or minimizing of the force and effect and voting strength of political, religious, student, or racial groups which occurs in multi-member districts.

VIII.

PRAYER FOR RELIEF

Wherefore, Plaintiffs respectfully pray, on behalf of themselves and all others similarly situated, that this Honorable Court:

1. Assume jurisdiction of this cause, convene a Three-Judge District Court pursuant to 28 U.S.C. § 2281 and 2284 to determine this controversy, and set this cause down promptly for a hearing.
2. Determine by order pursuant to Rule 23 of the Federal Rules of Civil Procedure, that this action be maintained as a class action.

3. Pending a hearing and determination by the Three-Judge Court, grant a temporary restraining order pursuant to 28 U.S.C. § 2284, restraining the Defendants, their successors in office, agents and employees, and all other persons in active concert and participation with them from conducting elections under the challenged apportionment plans for the Texas House of Representatives.

4. Upon final hearing declare that the apportionment plans of the Texas House of Representatives, insofar as they provide for multi-member districts rather than all single-member districts, are unconstitutional and in violation of the Equal Protection Clause of the Fourteenth Amendment.

5. Enter a permanent injunction enjoining the Defendants, their successors in office, agents and employees, and all other persons in active concert and participation with them from conducting elections pursuant to the challenged apportionment plans of the Texas House of Representatives and any other plan of apportionment which does not provide for single-member districts.

6. Direct the Legislative Redistricting Board or the State of Texas to reapportion the House of Representatives of the State of Texas into single-member districts within a specified period of time, or in the alternative that this Court reapportion the Texas House of Representatives into single-member districts.

7. That this Court retain jurisdiction until all orders and mandates of the Court have been complied with.

8. That the Court allow Plaintiffs their cost herein, and also grant them and all other persons similarly situated

such additional or alternative relief as may seem to this Court to be just, proper and equitable.

Respectfully submitted,

.....
ROBERT M. GREENBERG
Attorney for Plaintiffs
1105 Mercantile Securities
Bldg.
Dallas, Texas 75201 748-5348

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
CIVIL ACTION FILE NUMBER: 3-5241-A

JOHNNY MARRIOTT, ET AL.,

Plaintiffs,

v.

PRESTON SMITH,
Governor of the State of Texas,

BOB BULLOCK,
Secretary of State of the State of Texas,
the Texas Legislative Redistricting Board,

BEN BARNES,
Lieutenant Governor of the State of Texas,

G. F. MUTSCHER,
Speaker of the Texas House of Representatives,

BOB ARMSTRONG,
Commissioner of the General Land Office,

ROBERT S. CALVERT,
Comptroller of Public Accounts, and

CRAWFORD MARTIN,
Attorney General of Texas,

Defendants.

**DEFENDANTS' ORIGINAL ANSWER TO COMPLAINT
AND COMPLAINT IN INTERVENTION**

The named officials of the State of Texas made Defendants in this cause answer complaint as follows:

I.

The allegations of Plaintiffs' Paragraphs II and III are admitted.

II.

The Defendants do not have sufficient information to either admit or deny the allegations of Plaintiffs' Paragraph IV.

III.

In response to Plaintiffs' Paragraph V Defendants do not know whether this is a proper suit for class action but have no objection to a class action so long as the class is properly established and final judgment is binding upon all members of the class.

IV.

The allegations of Plaintiffs' Paragraph VI are admitted.

V.

The various Sub-paragraphs of Plaintiffs' Paragraph VII are either admitted or denied as follows:

Sub-paragraph 1, 2, 3, and 4 are admitted.

Sub-paragraph 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 are neither admitted nor denied because the Defendants have insufficient information upon which to base an admission or denial.

Sub-paragraph 15 and 16 are denied.

VI.

The Defendants join in Sub-paragraph 1 of Plaintiffs' Paragraph VIII (prayer for relief.) Defendants join in the request that the Court determine whether this shall be maintained as a class action. Defendants request the Court to deny the relief prayed for in Paragraph VIII, Sub-paragraphs 3, 4, 5, 6, 7, and 8.

VII.**ANSWER TO INTERVENTION**

The Defendants have no objection to the intervention of TOM CROUCH, JOHN N. NEEDOM, DR. MORT

JONES, WILLIAM M. BASS, ALFRED J. HILL and
MARY ANN COLLINS.

Defendants answer the Complaint in Intervention as follows:

VIII.

Intervenors' Paragraph I and II are neither admitted nor denied because of insufficient factual information.

IX.

Paragraph III of the Petition in Intervention is denied insofar as it alleges that Intervenors' rights under the federal and state constitutions have been abridged, denies that there has been unfair, unjust and invidious discrimination and neither admits nor denies the allegations concerning class action because of insufficient information.

X.

Paragraph IV of the Petition in Intervention is denied.

XI.

Plaintiff's Paragraph V is denied insofar as it alleges the acts of the Legislative Redistricting Board denies a cognizable political element effective access to the political system and tends to cancel, minimize and dilute their voting strength. The remaining allegations of Intervenors' Paragraph V are neither admitted nor denied because of insufficient information.

XII.

The allegations of Intervenors' Paragraph VI are denied except insofar as they point out that Harris County was apportioned into single member districts and Dallas County into a multi-member district.

XIII.

The allegations of Intervenors' Paragraphs VII, VIII and IX are denied.

XIV.

The allegations of Intervenors' Paragraph X is denied insofar as it alleges that the Senatorial apportionment is any evidence of the practicability of House apportionment and is otherwise neither admitted nor denied because of insufficient information.

XV.

Defendants pray that Intervenors' prayer for relief be denied in its entirety.

XVI.

Defendants deny that any of the constitutional rights of Plaintiffs or Intervenors have been abridged or denied by the challenged apportionment of the Texas House of Representatives and request the Court to deny Plaintiffs and Intervenors relief in this action; to grant Defendants their cost; and to grant Defendants any other relief to which they are entitled.

Respectfully submitted,

CRAWFORD C. MARTIN
Attorney General of Texas

/s/ SAMUEL D. McDANIEL
Samuel D. McDaniel
Staff Legal Assistant

CERTIFICATE OF SERVICE

A copy of the foregoing answer has been furnished to each attorney of record listed in the original complaint and the complaint in intervention.

/s/ SAMUEL D. McDANIEL
Samuel D. McDaniel

IN THE
United States District Court

WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

DIANA REESTER, ET AL

v.

BOB BULLOCK, ET AL

VAN HENRY ARCHER, JR., ET AL

v.

PRESTON SMITH, ET AL

CIVIL ACTION

No. A-71-CA-145

PRETRIAL ORDER

This matter having come before the Court at a pretrial conference held pursuant to Rule 16 of the Federal Rules of Civil Procedure, 28 U.S.C.; and ED IDAR, JR., GEORGE KORBEL, NATHAN W. EASON, J. DOUGLAS McGuIRE having appeared as counsel for the plaintiffs, and SAM McDANIEL having appeared as counsel for the defendants; the following action was taken:

NATURE OF ACTION AND JURISDICTION

Insofar as named Plaintiffs, and various Intervenor Plaintiffs, these are actions filed pursuant to 42 U.S.C. 1343, 1983 to redress violations of the rights of Plaintiffs by the Fourteenth and Fifteenth Amendments to the United States

Constitution, in addition thereto, jurisdiction is claimed pursuant to 28 U.S.C. 2201, 2202 and Rules 57, 23 and 24 of the Federal Rules of Civil Procedure.

The following stipulations and statements were submitted and made a part of this order:

(a) It is hereby stipulated that the following are uncontested facts, to-wit:

1. Each named intervenor in the Complaint in Intervention filed by JOE J. BERNAL, ET AL, if called to testify, would testify that he is a Mexican-American citizen of the United States and a resident and registered voter in the State of Texas and in his respective city or town and county as alleged in said Complaint. Plaintiffs, VAN ARCHER, JR., ET AL, are residents of the State of Texas and reside in the County of Bexar in said state and are duly registered and qualified voters in said county and state.
2. Neither the act of the Texas Legislative Redistricting Board reapportioning the Texas House of Representatives nor any other statutory or constitutional provision of the State of Texas requires that the multi-member districts be sub-districted or subdivided for purposes of residence of the candidates running in each of said districts.
3. Neither the Act of the Texas Legislative Redistricting Board nor any other statutory or constitutional provision of the State of Texas provides for nomination on a plurality vote basis of candidates for Representative districts in political party primary elections or in special elections called to fill vacancies in Representative districts. Rather, nomination or election is based on a majority vote basis requiring if necessary the holding of run-off elections for the purpose of insuring a majority vote for the candidate nominated or elected.

4. The members of the Texas Legislative Redistricting Board consisted of the following: LT. GOV. BEN BARNES, ATTORNEY GENERAL CRAWFORD MARTIN, LAND COMMISSIONER BOB ARMSTRONG, COMPTROLLER OF PUBLIC ACCOUNTS, ROBERT S. CALVERT, SPEAKER OF THE HOUSE, GUS MUTSCHER.

5. Exhibit A and B to these stipulations are true and correct copies of the Acts of the Texas Redistricting Board, redistricting the State of Texas into House and Senate Districts for the Texas Legislature and the attachments thereto are the maps and materials prepared by the Texas Legislative Council to accompany said Acts.

6. During the period of 1960 to 1970 the persons elected Governor, Lt. Governor, Attorney General, Land Commissioner and Comptroller of Public Accounts have been nominated on the Democratic ticket and elected.

7. None of the named Plaintiffs in the above cited cases has been denied the right to register or to vote in the State of Texas since 1961.

8. That the Republican and Democratic parties constitute recognizable political groups in Texas and are the two most numerous political groups in Texas.

9. The City of San Antonio and the City of Terrell Hills are home rule cities pursuant to the Home Rule Provision of the Texas Constitution and the statutes of the State of Texas.

(b) Potential witnesses:

1. For BERNAL intervenors: MATT GARCIA, Attorney at Law, RUDY ESQUIVEL, Attorney at Law, ROBERT VALE, Attorney at Law, MAX FUENTES, Attorney at Law, JOHN ALANIS, Attorney at Law,

RICHARD AVENA, official of the U. S. Civil Rights Commission, CLIFFORD McCLESKEY, University of Texas Professor, DR. RICHARD CANTRELL of St. Mary's University and GEORGE KORBEL, Attorney at Law.

2. For the ARCHER Plaintiffs: VAN HENRY ARCHER, JR., M. O. TURNER, R. L. (BOB) STRICKLAND.

3. Defendants' witnesses: GILBERT GARZA, CHARLES SKIPPER and ROY BARRERA.

4. Members of the Redistricting Board may be called by either of the parties.

(c) ARCHER ET AL contend that the contested issues of fact and law are the following:

1. The action by the Legislative Redistricting Board in awarding single-member districts in Harris County and making all other metropolitan areas in the state into multi-member districts is discriminatory against such multi-member districts principally because of dilution of the vote of racial, ethnic, political and other minority groups, together with discrimination against all voters and citizens in the multi-member districts.

2. That Senatorial District 21 lacks those elements of the constitutional and legal guidelines as set forth by the Courts, to-wit: lack of community of interest, contiguity and compactness, and failure to weigh ethnic, political and racial elements located within the district, a disregard of these guidelines, if not an actual concerted plan to protect those senators now in office in Districts 19 and 26 by the gerrymandering of said district to include those portions of Bexar County as set out in the plan.

3. Texas Legislative Redistricting Board, Legislative and Senatorial Plans, as adopted, are unconstitutional and

in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

(d) BERNAL, ET AL contends that the following are the contested issues of fact and law:

1. Whether the population deviations in the House Reapportionment Plan are constitutionally permissible in absence of any justification other than the asserted impossibility of achieving population equality without further cutting county lines.
2. Whether the use of multi-member districts in Dallas County by design or effect dilutes the voting strength of black, Mexican-American economic or political minorities located in those districts.
3. Whether the failure of the State to offer any justification for the mixed use of single and multi-member districts alters the burden under *Whitcomb* for plaintiffs to demonstrate the discriminatory effect of multi-member districts.
4. Whether the inconsistent, irrational and unexplained mixed use of multi-member and single-member districts in the State's plan is constitutionally impermissible.
5. Whether a state with a long history of a policy of racial discrimination has a positive duty to avoid building upon the effects of this past discrimination when drawing a plan of Legislative reapportionment or alternatively, has an affirmative obligation to insure that the interests of this disadvantaged minority is adequately represented.
6. Whether the Act of the Legislative Redistricting Board on October 22, 1971, effectively denies the rights of citizens and qualified voters of Bexar County the same opportunity to run for office of State Representative as the similarly-situated residents of a single-member district.

7. Whether the Act of the Legislative Redistricting Board on October 22, 1971, violates state constitutional and statutory provisions by splitting the excess population of some counties into two different legislative districts, rather than placing all such excess population in one contiguous district.
8. Whether the fact that Harris County as well as Dallas, Bexar, Tarrant and other multi-member districts under the Act of the Legislative Redistricting Board are large and will elect a substantial proportion of the seats in the Texas House makes said Act illegal since only Harris County is divided into single-member districts.
9. Whether the fact that there is no formalized process for slating candidates by the Democratic or Republican Parties in Texas or any other political party results in a denial to the Mexican-American class of an equally effective voice in the election of the members of the Texas House.
10. Whether the cost of conducting campaigns for election to the Texas House in large multi-member districts is such that the voting strength of the Mexican-American class is diluted, minimized, cancelled out or submerged in such large multi-members districts.
11. Whether the fact that the Act in question by giving single-member districts to Harris County does give the black minority in said county an equally effective voice in the election of members of the Texas House but denies the same to others of the black population as well as to the Mexican-American class in other large multi-member districts, particularly Dallas and Bexar Counties, results in denial of equal protection to those adversely affected.

12. Whether the fact that the Act in question does insure an equally effective voice to the black population in Harris County but denies the same to the Mexican-Ameri-

can class in the large multi-member districts, particularly Bexar County, constitutes an unconstitutional discrimination as between said minority groups.

13. Whether the Texas Legislative Redistricting Board by the nature of its composition is entitled to be termed a legislative body in the same sense as the Texas Legislature so as to fall within the purview of judicial restraint applicable to redistricting Acts enacted by a legislature.

(e) The Defendants contend the disputed issues of fact and law are the following:

1. The Defendants contest each of the questions posed by Plaintiffs and Intervenors above.
2. Defendants contest that this Court has jurisdiction under the Federal statutes alleged by Plaintiffs.
3. Defendants contest that any cause of action upon which relief can be granted has been pled by any plaintiff or intervenor.
4. Defendants contest that there is anything illegal, unconstitutional or discriminatory under the Constitution or laws of the United States or this State in the Redistricting Plan adopted by the Board and says that such plans are fair, equitable and just and in compliance with such laws and constitutions.
5. It is the defendants' position that the Constitution does not protect political parties from losing elections.
6. Such population deviations that exist in the House Apportionment Plan are constitutionally permissible and justified.

(f) No claims or defenses are waived.

The foregoing was modified at the pretrial conference as follows:

PLAINTIFFS

(A)

The exhibits of BERNAL ET AL, intervenors are marked "BI" and are listed as follows and offered by plaintiffs subject to the objections listed below:

BI #1 is a pin map showing residence of legislative candidates from Bexar County. Black top pins show candidates elected. Other colors are coded to years.

BI #2(a) is an overlay showing census tracts which according to the 1960 census were 50% or more Mexican-American except for 2 precincts which are less than 50% Mexican-American.

BI #2(b) is another overlay with census tract information for Bexar County.

BI #2(c) is an overlay showing predominately black, Mexican-American and Anglo sections in Bexar County.

BI #2(d) is an overlay showing 1960 census figures.

BI #3 is a photocopy of a print out of a 1969 Texas State Highway Department Origin and Destination Survey of census tracts in Bexar County used as basis for one of the overlays in re Exhibit #2.

BI #4 is a photocopy of print out of 1970 census tract data for Bexar County showing population characteristics of each tract.

BI #5 is a photocopy of print out of 1970 census data for Bexar County showing housing characteristics of each census tract.

BI #6 is a photocopy of print out 1970 census tract data for Bexar County showing owner occupied units by value.

BI #7 is a U.S. Census Housing Study obtained from Texas Legislative Council used in preparing a memorandum with respect to housing characteristics.

BI #8 is a U.S. Census of Population and Housing: 1960 for the San Antonio Standard Metropolitan Statistical area.

BI #9 is a set of campaign expense reports filed with the County Clerk of Bexar County used to support study made of campaign expenditures in 1970 in House races in said county.

BI #10 is a U.S. Census of Population 1960 Study on Persons of Spanish Surname.

BI #11 is a staff report to the 61st Texas Legislature by the Texas Legislative Council entitled "Employment in State Government. A Statistical Survey by Ethnic Origin."

BI #12 is a publication entitled "Mexican Americans and the Administration of Justice in the Southwest" by the United States Commission on Civil Rights, March 1970.

BI #13 is a summary of Exhibit #12 published by the United States Commission on Civil Rights.

BI #14 Civil Rights in Texas, a report of the Texas Advisory Committee to the U. S. Commission on Civil Rights. February, 1970.

BI #15 is a Report I: Ethnic Isolation of Mexican Americans in the Public Schools of the Southwest. Published by the U.S. Commission on Civil Rights in April, 1971.

BI #16 is a Report II of Mexican American Educational Series entitled "The Unfinished Education." Published by the U.S. Commission on Civil Rights in October, 1971.

BI #17 is a published record of proceedings of Hearings

Before the U.S. Commission on Civil Rights held in San Antonio, Texas, December 9 to 14, 1968.

BI #18 is a Hearings before Sub Committee on Executive Reorganization of the Committee on Government Operations of the U.S. Senate in regard to establishment of Inter-agency Committee on Mexican American affairs.

BI #19 "Spanish Surnamed Americans in the Southwest" by Fred H. Schmidt.

PLAINTIFFS

(B)

The Archer, et al plaintiffs have designated their exhibits "SAR" and they are listed as follows and offered into evidence subject to the objection listed below:

SAR #1 is a map showing the Senate apportionment of part of Bexar County prior to the one at issue in this suit.

SAR #2 is a map showing the per cent of Republican votes for Governor in the area of the present Senate district 21 by counties in the 1966 Governor's election.

SAR #3 is a map showing how precincts in Bexar County voted in the 1968 Governor's election.

SAR #4 is a map showing how precincts in San Antonio voted in the 1968 Governor's election.

SAR #5—Same as SAR #2 except for 1968.

SAR #6—Same as SAR #3 except for 1970.

SAR #7—Same as SAR #4 except for 1970.

SAR #8—Same as SAR #2 except for 1970.

SAR #9 1966 Tower-Carr per cent map for Bexar County.

SAR #10 1966 Tower-Carr per cent in San Antonio.

SAR #11 1966 Tower Carr per cent map for area in the new 21st Senatorial District.

SAR #12 Letter dated August 24, 1971 from Senator Joe Bernal, memo from the Legislative Redistricting Board of Texas, Exhibits A, B, C, D, E and F attached

Defendants reserve the right to object to Plaintiffs exhibits on grounds of relevancy and where appropriate in the case of publications on the ground of hearsay.

DEFENDANTS

(A)

Defendants' exhibits relating to Bexar County are designated DB and are listed as follows and offered into evidence and received without objection.

DB #1 is a list of representatives and senators of Spanish surname over the past nine sessions of the Legislature. The non-Spanish surnames are blacks.

Defendants Bernal et al reserve the right to object to Defendants's exhibits on the basis of lack of relevancy and improper predicate.

LIABILITIES AND RESERVATIONS

(A)

There is reserved to each of the parties the right to further supplement the list of witnesses upon application to the Court, and for good cause shown.

(B)

There is reserved to each of the parties the right to call such rebuttal witnesses as may be necessary, without prior notice thereof to the other party.

601

(C)

The probable length of the trial is four days. The case will be tried beginning January 4, 1972.

IT IS ORDERED that this Pretrial Order may be modified at the trial of the action, or prior thereto, to prevent manifest injustice. Such modification may be made either on application of counsel for the parties or on motion of the Court.

Wm. WAYNE JUSTICE
Judge

January 4, 1972

Approved as to form and substance

.....
Attorney for Plaintiffs,
Bernal, et al

.....
Attorney for Plaintiffs,
Archer, et al

.....
Attorney for Intervenor
Plaintiffs
SAMUEL D. McDANIEL
Attorney for Defendants

Defendant's
Exhibit
D-55

**OFFICIAL
VOTER CARD
DEMOCRATIC PRIMARY
ELECTION
SATURDAY, MAY 2, 1970**

Your precinct is

356

You vote at

**J. N. Ervin High School
3722 Black Oak**

POLLS OPEN 7 A.M. - 7 P.M.

Back of Handcard

VOTE FOR THESE CANDIDATES MAY 2 THEY'RE FOR THE PEOPLE!

U. S. Senator

RALPH W. YARBOROUGH

U. S. Congress

MIKE McKOOL

Lt. Governor

BEN BARNES

Land Commissioner

BOB ARMSTRONG

State Senator

OSCAR H. MAUZY

State Representative

- PI. 2 — DAVE MOSS
- PI. 3 — BERLAIND BRASHEAR
- PI. 4 — DICK REED
- PI. 5 — ZAN W. HOLMES JR.
- PI. 6 — JOE RATCLIFF
- PI. 9 — JIM STROUD
- PI. 10 — PAUL GOODWIN
- PI. 12 — BILL STEHR

Probate Judge

OSWIN CHRISMAN

Precinct Chairman

DANIEL THOMAS

These candidates endorsed by
AFL-CIO, Progressive Voters League, Dallas
United Labor Committee, Citizens for Fair Taxes

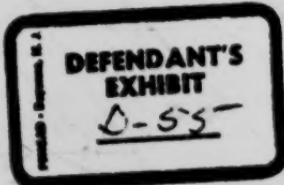
Telegram

DB967 L D LLC431 ET NL PDF DALLAS TEX

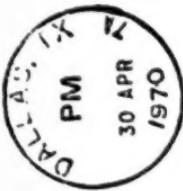
URGENT YOU VOTE THIS SATURDAY MAY 2 TO RE-ELECT
SENATOR RALPH YARBOROUGH, REP. ZAN HOLMES, SENATOR
OSCAR MAUZY AND BERLAIND BRASHEAR. WE NEED THEM
TO KEEP FIGHTING FOR OUR RIGHTS AND PROGRESS.

SEE ENCLOSED CARD FOR WHERE AND HOW TO VOTE FOR
THE PEOPLE'S CANDIDATES IN THE DEMOCRATIC PRIMARY
THIS SATURDAY.

EMMETT J. CONRAD



524
514
528
525
243
241
539
524
518
546
525
524
525
525



MR. UTAH KIRK
2402 NAOMA
DALLAS TEXAS
75241

356

Telegram

DEFENDANT'S
EXHIBIT

D-61

CLASS OF SERVICE
This is a first message
unless its deferred char-
acter is indicated by the
proper symbol.

WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

SYMBOLS	
DL	Day Line
NL	Night Line
LT	International Letter Tapes

1001 (4-00)

The filing time shown is the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME or point of destination.

DB080

D LLU53 DL PD=MF DALLAS TEX 21 1214P CST=

1968 MAY 21 PM

URGENT THAT YOU VOTE TOMORROW FOR OSCAR MAUZY FOR STATE SENATOR. OSCAR MAUZY IS FOR THE PROGRAMS OF PROGRESS BEGUN BY PRESIDENT KENNEDY AND BEING CARRIED FORWARD BY PRESIDENT JOHNSON=

BARBARA JORDAN STATE SENATOR, HOUSTON TEXAS
J LOCKRIDGE DALLAS TEXAS RALPH W YARBOROUGH=

I Not Authorized to Use This
Name By Democratic Nominees

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

DEFENDANT'S
EXHIBIT

D

8 A The Dallas Morning News

Friday, June 10, 1966

N. Seymour.

Mauzy Man Named James, Not Joseph Lockridge

Democratic senatorial candidate Oscar Mauzy said Thursday the "J. Lockridge" who signed a telegram sent to several hundred Dallas voters prior to the June 4 runoff was not Democratic House candidate Joseph Lockridge.

The telegram, sent to voters in predominately Negro precincts, was signed, "Barbara Jordan, State Senator, Houston, Texas, J. Lockridge, Dallas, Texas; Ralph W. Yarborough."

Mauzy, who defeated David Ivy in the runoff, said the Lockridge who signed the telegram was "one of my supporters named James Lockridge who is known as J. Lockridge."

Miss Jordan, Democratic state Senate nominee from Houston, and Joseph Lockridge, Democratic nominee for legislative Place 3 from Dallas, both are Negroes. Joseph Lockridge said he "did not authorize my name to be used with any telegram or letter endorsing Mr. Mauzy."

Mrs. Earlean Clark, Precinct 404 chairman, had mailed a letter prior to the runoff stating, "Joseph Lockridge has endorsed Oscar Mauzy."

The letter also stated:

"Remember, too, that through our efforts Dallas County has elected its first Negro state representative. (Lockridge has a Republican opponent in November.)"

"Lockridge needs Oscar Mauzy in the state Senate to help him achieve more effective representation for the Negro people of Dallas," the letter continued.

Nominee Lockridge told The Dallas News he did not authorize use of his name in any telegram or letter endorsing Mauzy.

The Rev. S. M. Wright, Dallas Negro leader for Gov. John Connally, who was supporting Mauzy's primary opponent, distributed a letter by messenger after the telegrams were delivered.

The letter stated: "Joseph Lockridge has not endorsed Franklin Spears (attorney general candidate) or Oscar Mauzy."

Mauzy will face Republican Frank Pounders in November for the 23d Senatorial District post.

CTIVE

EMENTS

in price

ay Shop

LA 1-2101

Defendant
Exhibit
D-53

**HOW TO VOTE NOVEMBER 3
TO ELECT ZAN HOLMES,
OSCAR MAUZY, AND
ALL OTHER DEMOCRATS.**



**Pull The Top Lever
The Democratic Lever**

That's All You Have To Do!



See reverse side for where and when to vote.

**WHERE AND WHEN TO VOTE
TUESDAY, NOV. 3**

Your precinct is **308**

You vote at **J. W. Ray, 2211 Caddo**

**Polls will be open 7 a.m. to 7 p.m.
Tuesday, Nov. 3.**

**For free ride to the polls call
748-6775 or 691-0991**

**Remember to pull the top lever –
the Democratic lever – to elect
ZAN HOLMES, OSCAR MAUZY
and all other Democrats!**



ELECT THESE FRIENDS OF**☆☆☆☆☆☆☆☆☆☆☆☆*****LYNDON B. JOHNSON*****☆☆☆☆☆☆☆☆☆☆☆☆****Governor—YARBOROUGH****Lt. Governor—BARNES****Supreme Court Pl. 1—DAVIS****Supreme Court Pl. 2—REAVLEY****Legislature Pl. 4—REED****Legislature Pl. 6—RATCLIFF****Legislature Pl. 9 — STROUD****Legislature Pl. 10 — WILLIS****Legislature Pl. 14 — STEHR****Criminal Court #2 — DAVIS****County Commissioner—TYSON****County Chairman—GEE**

**OFFICIAL
VOTER CARD
DEMOCRATIC PRIMARY
ELECTION
SATURDAY, MAY 2, 1970**

Your precinct is

356

You vote at

J. N. Ervin High School
3722 Black Oak

POLLS OPEN 7 A.M. - 7 P.M.

**VOTE FOR THESE CANDIDATES MAY 2
THEY'RE FOR THE PEOPLE!**

U. S. Senator
RALPH W. YARBOROUGH

U. S. Congress

MIKE McKOOL

Lt. Governor

BEN BARNES

Land Commissioner

BOB ARMSTRONG

State Senator

OSCAR H. MAUZY

State Representative

- PI. 2 — DAVE MOSS
- PI. 3 — BERLAIND BRASHEAR
- PI. 4 — DICK REED
- PI. 5 — ZAN W. HOLMES JR.
- PI. 6 — JOE RATCLIFF
- PI. 9 — JIM STROUD
- PI. 10 — PAUL GOODWIN
- PI. 12 — BILL STEHR

Probate Judge
OSWIN CHRISMAN

Precinct Chairman

DANIEL THOMAS

These candidates endorsed by
AFL-CIO, Progressive Voters League, Dallas
United Labor Committee, Citizens for Fair Taxes

**VOTE GEORGE BUSH
FOR UNITED STATES SENATOR**

VOTE

**DEFENDANT'S
EXHIBIT
D-53**

"We Can't Solve Today's Problems With Yesterday's Programs."

**THIS IS THE YEAR
FOR CHANGE!**

**THIS IS THE MAN
TO DO IT!**

**FROM THE
ALL STREET JOURNAL:**

Gov. Holton's activities have almost certainly cost him some support among the state's staunchest conservatives, but have greatly enlarged the rest of the peculiar coalition that helped elect him last fall. This included more moderate conservatives, independent-leaning Federal workers and other urbanites seeking a more activist state government. AFL-CIO chieftains, and top Negro leaders—a broad spectrum that the NAACP, a liberal Republican group, sees as the "GOP coalition of the future" in Texas.

Some coalition elements were really out to break the power of old-line Democrats than to elect a Republican, and profess no surprise over Mr. Holton's performance to date. "He's accomplished more in six months than all his predecessors lumped together," says NAACP executive secretary Lester Banks. "When he and his wife took their kids to those black schools, that action spoke much louder than any words."



"THE PROOF OF THE PIE IS IN THE EATING"

TWO-PARTY POLITICS IN ACTION

55% OF THE TOTAL BLACK VOTE POLLED IN VIRGINIA WENT TO HOLTON AND IT CHANGED THE STATE.

LET'S CHANGE TEXAS BY GIVING GEORGE BUSH OUR VOTE.

**ONE OF ONLY 8 CONGRESSMEN
THAT VOTED FOR
OPEN HOUSING IN TEXAS**

Vote For The MAN --Not The Party! !

Don't Vote Straight Ticket! ! !

23RD SENATORIAL DISTRICT

Dallas, Texas

RUTH JEFFERSON - ED POLK - AND OSCAR MAUZY

You can get rid of one of them (Oscar Mauzy) simply by voting Saturday. Vote for JOHN WRIGHT for State Senator.

Surely, you do not want another Yarborough in Government. You would have in Oscar Mauzy.

He conducted an extensive voter registration drive in "Selected Precincts". Your precinct was not "selected". Whom does Mauzy really want to represent. NOT YOU.

This time you have your kind of man you can vote for. JOHN WRIGHT. All you need to do is vote. Before you go to the lake, or play golf or shop, take the time to vote. You won't regret it.

Carrie E Welch

Carrie E Welch

W.L. Kleinwachter

W.L. Kleinwachter

Joe M. Carpenter

Joe M. Carpenter

Henry Grube, Jr.

Henry Grube, Jr.

D.A. Kimmy

D.A. Kimmy

Gordon Yeargan

Gordon Yeargan



DEMOCRATIC COMMITTEE for RESPONSIBLE GOVERNMENT

Bock 4

A REMINDER TO VOTERS:

THE DEMOCRATIC PRIMARIES ARE NOT OVER. LET US NOT WAKE UP THE MORNING AFTER THE RUNOFF ON JUNE 6, 1970, AND FIND OUT THAT FAILURE TO VOTE HAS RESULTED IN THE ELECTION OF TWO LIBERALS TO OUR STATE LEGISLATURE. DALLAS COUNTY NEEDS TO MAINTAIN ITS REPUTATION AS THE BULWARK OF CONSERVATIVE STRENGTH.

VOTE FOR:

JOHN BOYLE - Place 3 - Mr. Boyle resigned his position as City Attorney of Irving to make the race after he was requested to run for the Legislature. His opponent is Berland Brashear, an Attorney with Offices at 3318 South Oakland. Very little is known about Mr. Brashear.

SAM COATS - Place 12 - Mr. Coats is an Attorney associated with the well respected firm of Clark, West, Keller and Clark. He resides in far North Dallas. Like Mr. Boyle, he was requested to make the race by Conservative citizens. He is a former DCRG Precinct Chairman. His opponent is Bill Stehr, who is running in South Dallas with Mr. Brashear as a team. Words cannot describe his political philosophy any better than do the enclosed copies of letter bearing his signature and the enclosure thereto.

REMEMBER: RUNOFFS ARE A SPECIALTY OF MASS BLOCK VOTING TACTICS.
CONSERVATIVES WILL LOSE IF THEY DO NOT TURN OUT AND VOTE.

Do You WANT THIS MAN ELECTED?

October 20, 1969

Dear Friend:

We hope you'll be able to join us at this Unitarian Church Dinner. The proceeds will be used primarily for voter registration activities, mostly in predominantly Black or Latin-American neighborhoods.

Political and civic figures in the audience will be introduced, and any greetings from people not present will be read.

We're taking the liberty of sending you two (2) adult tickets (numbers _____) at \$3.00 each. We hope you can come - or at least send us a contribution if you cannot. Please make your check out to BAWA, which is a tax-deductible affiliate of the Unitarian-Universalist Church. We'd appreciate your returning any tickets not paid for.

Thanks for your help in making more people participating members of our society.

Yours sincerely,

Bill Stein

TICKET

No.

unitarian universalists for BLACK AND WHITE ACTION

BAWA BENEFIT SOUL FOOD DINNER

SATURDAY, NOV. 1, 1969

Dinner: 6 - 8 P.M.

Entertainment: Starting 8 P.M.

FIRST UNITARIAN CHURCH

4015 NORMANDY

DALLAS, TEXAS 75205

(214) LA 8-3990

ADULT \$3.00 Advance
\$4.00 at Door



STUDENT \$1.00 Advance
\$1.50 at the Door

BAWA BENEFIT

After registration & other
city projects

SATURDAY

1 NOVEMBER

\$3.00 Advance
4.00 at DoorSTUDENT
\$1.00 Advance
1.50 at the Door16
Nov 3SPECTACULAR ENTERTAINMENT.

DINNER: 6 - 8 P.M.

REAL SOUL MENU INCLUDES CHITTLINS
AND HAW, BLACK EYES AND GREENS:
IF YOUR STOMACH AIN'T GOT NO SOUL,
YOU CAN FILL UP ON THE GRITS AND GRAVY.

and if you're chicken, we got chicken too -

FIRST UNITARIAN CHURCH
4015 NORMANDY
DALLAS, TEXAS 75205
(214) LA 8-3990

***** PROGRAM AT EIGHT *****

* INCLUDES NUMEROUS, FANTASTIC,
* SPECTACULAR ORIGINAL EVENTS:
*
* FOLK SINGING GOSPEL SINGERS
*
* STIRRING POLITICAL ORATORY
* *



SATURDAY, NOV. 1, 1959

Dinner: 6-8 P.M.

Entertainment: Starting 8 P.M.

- Phone or write the church office for tickets. We'll send 'em out immediately.

- Contributions to BAWA are tax deductible. Make checks payable to BAWA. We would estimate the \$2. of contribution in every \$3. ticket would be reasonable.

unitarian universalists for BLACK AND WHITE ACTION

An Affiliate of the Unitarian Universalist Association

Book 3

DEMOCRATIC CO. MITTEE TO RESPONSIBLE GOVERNMENT

December 23, 1969



Ben Atwell
 Jack Blanton
 Bill Braecklein
 Sam Coats
 Joe Golman
 Joe Hawn
 Zan W. Holmes, Jr.
 W. B. (Bernie) Landress

Guy Lewis
 Bob Lynch
 Griffith Moore
 Dick McKissack
 Fred Orr
 Chris Semos
 James W. Stroud

Dear Mr.

The D. C. R. G. is a precinct organization of Dallas County citizens interested in promoting good government through responsible and effective representation. Our membership is currently several thousand and growing. Over 200 of the 293 Democratic Party Precinct Chairmen are among our members and constitute a broad base for precinct work.

With a view to best possible representation in State Government, we have conducted a study of potential candidates for the Legislature in the 1970 Democratic Primary. Your name is among those most favorably received. We offer every encouragement to you in the event you find it possible to serve our community in this worthwhile capacity. The D. C. R. G. will, should you file as a candidate in the Democratic Primary, exert extraordinary effort in the Precincts to insure your nomination in May and your election in November.

Thank you for your interest in serving Dallas County.

Yours very truly,

The Board of Directors

Bill Brewer
 L. H. Brown
 Joe Carpenter
 Wm. H. Clark, III
 Manuel De Busk
 H. F. Dodson
 Bill Dowdy
 Glenn Dunn
 Dr. Emerson Emory

L. R. "Bob" Gibson
 Lee Halford
 S. J. Hay, Sr.
 Jack Henson
 Johnny James
 Ennis Killingsworth
 Roy Orr
 Joe Rich
 Charles Simons

Forrest Smith
 Robert W. Smith
 Dick Stroman
 Conway Thetford
 Jack Thompson
 Paul Underkofer
 George Wilhite
 Lonnie Wilson
 Ernest E. Wright, Jr.

Boyle 5



Neighbor:

Thank you for voting in the Democratic Primary May 2, 1970. We appreciate your effort and time in voting for the candidate of your choice.

However, our work is not complete inasmuch as Democratic Primary run off is Saturday, June 6, 1970.

I am enclosing herein literature which we believe clearly indicates the political philosophy of candidates Mr. and Breashear. A strong campaign is being run in liberal areas of Dallas to get out the vote on Saturday, June 6th.

We and our neighbors must vote if we want our candidates, Coats and Boyle, to prevail.

PLEASE VOTE AND GET YOUR NEIGHBOR TO VOTE FOR:

SAM COATS
and
JOHN BOYLE

Sincerely yours,

Dan J. Webster Jr.
Former Democratic Precinct Chairman

Clifford Smith Jr.
Democratic Precinct Chairman

DEMOCRATIC COMMITTEE for RESPONSIBLE GOVERNMENT

2727 CEDAR SPRINGS DALLAS, TEXAS 75201

TELEPHONE 214 748-0207

WHICH PAIR DO YOU WANT TO REPRESENT YOU IN AUSTIN

THIS

OR THIS

Below is a copy of a poster that is being displayed only in Block Voting Precincts in South Dallas. Obviously Ultra-Liberals Brashear and Stehr hope to ride in together a massive Block Vote in those Precincts that Ralph Yarborough carried.

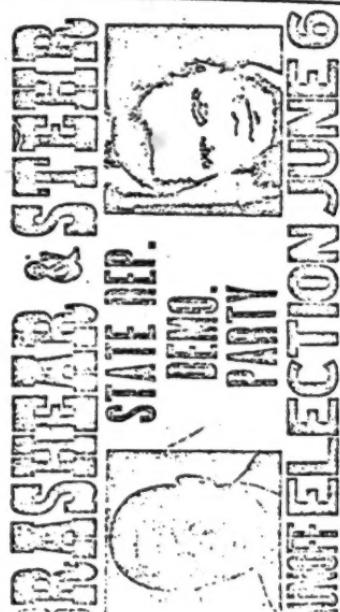
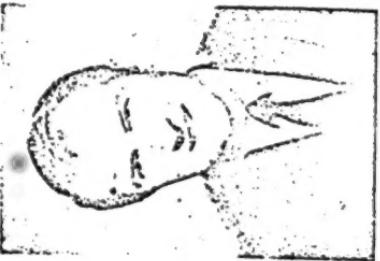
Below are pictures of the two candidates who are endorsed by the Dallas County Committee for Responsible Government, the Dallas Times Herald and the Dallas News.

80

PLACE 12 - SAM COATS



PLACE 3 - JOHN BOYLE





The State of Texas
Secretary of State

I, BOB BULLOCK, Secretary of State of the State
of Texas DO HEREBY CERTIFY that the attached is a
true and correct copy of correspondence received from
S. M. WRIGHT dated January 10, 1969.



IN TESTIMONY WHEREOF, I have hereunto
signed my name officially and caused to be im-
pressed hereon the Seal of State at my office in
the City of Austin, this

6th day of January, A. D. 19 71.

Bob Bullock
Secretary of State

01-172



TRINITY RIVER AUTHORITY OF TEXAS

GENERAL OFFICE • SUITE 304 ARLINGTON BANK AND TRUST BUILDING • ARLINGTON, TEXAS 76011

TELEPHONES: (AREA CODE 817) 277-8131 • (AREA CODE 814) 284-4836

P. H. CAUTHAN, JR.
PRESIDENT

CHARLES W. FISHER, JR.
VICE-PRESIDENT

BEN H. CARPENTER
CHAIRMAN
EXECUTIVE COMMITTEE

DAVID N. BRUNE
GENERAL MANAGER

GEORGE D. JANNING
SECTY-TREASURER

January 10, 1969

The Honorable John Connally, Governor
The State of Texas
Capitol Building
Austin, Texas 78701

The Honorable P. H. Cauthan, Jr., President
Board of Directors
Trinity River Authority of Texas
Post Office Box 506
Trinity, Texas 75862

Gentlemen:

On July 19, 1967 Governor John Connally appointed me to serve as an Area-at-Large Director of the Trinity River Authority of Texas, with term expiring in March, 1973. I qualified in office and have served since then.

I want you to know that I have enjoyed serving on the Authority's Board and have great regard for the other members and the great program being accomplished with such dedication.

Because of the problems concerning my confirmation by the Senate of the State of Texas I feel that I should and do hereby resign from the Board of Directors of the Trinity River Authority effective this date. I appreciate the Governor's confidence in me and the good fellowship of the members of the Authority's Board.

Respectfully submitted,

S. M. Wright
S. M. WRIGHT

PLAINTIFF'S
EXHIBIT
CA 143-58

ALLEN MELTON
ATTORNEY AND COUNSELOR
1612 COMMERCIAL STREET
SUITE 1115
DALLAS, TEXAS 75201

September 29, 1971

Honorable Crawford Martin
Attorney General
Supreme Court Bldg. B
Room B-709
Austin, Texas

Dear Crawford:

There is considerable agitation on the part of Oscar Mauzy-Mike McKool, et al, to redistrict Dallas County into single member districts. This is, as you will recognize, a calculated effort on the part of the liberals to get more liberal Democrats elected to the Legislature from Dallas County. The next in line to gain are the Republicans. Conservative Democrats will de-escalate to zero under this plan. There is no good reasoning in the support of single member districts. I would much rather have eighteen members in the Legislature than one who, in all probability, would really not represent me in Dallas County.

Since Dallas County is now entitled to four Senators, there is nothing intrinsically wrong with having the Senators elected at large. In that manner we could get four reasonably minded Democrats, in my judgment.

I hope you will stand pat for Dallas County to have a delegation, all members of the House elected at large.

Very truly yours,

Allen Melton
Allen Melton

DEMOCRATIC PARTY OF DALLAS COUNTY 1002 DALLAS FEDERAL SAVINGS BLDG. DALLAS, TEXAS

EARL LUNA, County Chairman

214 748

September 24, 1971

ack

Attorney General Crawford Martin
Legislative Redistricting Committee
Capitol Building
Austin, Texas 78711

Dear Attorney General Martin:

Enclosed please find a copy of the Resolution in favor
of multi-member legislative districts passed by the
Dallas County Democratic Executive Committee on
September 22, 1971.

With kindest personal regards, I remain

Yours very truly,

Earl Luna
Earl Luna

EL bj
Encl.

RESOLUTION

WHEREAS, a suit has been filed in the Supreme Court of Texas asking that the Legislative Redistricting Board be required to redistrict the House of Representatives of the State of Texas into 150 single member districts; and

WHEREAS, such action, if granted, would not be to the best interest of the people of Dallas County; and

WHEREAS, such single member districts would create ward politics; and

WHEREAS Dallas County is a political subdivision with a community of interests in many areas which should be preserved and the preservation of such political subdivision as a multi-member legislative district has repeatedly and recently been approved by the United States Supreme Court; and

WHEREAS, there is always a winner and a loser in any political race, whether multi-member districts or single member districts, and in either case the loser does not wind up with a person of his choice representing him but such is our political system in a Democratic Society; and

WHEREAS, while the multi-member House Plan in Dallas County represents all ethnic, economic, social, religious and political groups, the single member Senate Plan in Dallas County does not do so in that only Liberal Democrats and Republicans are represented in the single member Senate Plan, therby leaving the middle of the

roaders, conservatives and other ethnic groups who constitute a majority of the people in Dallas County with no representation by like minded Senators; and

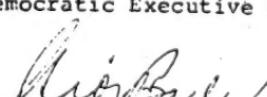
WHEREAS, a multi-member district is the most effective representation for Dallas County;

NOW, THEREFORE, BE IT RESOLVED that the Democratic Executive Committee does hereby endorse the multi-member district plan for the Texas House of Representatives and supports and adopts the brief filed in the Supreme Court of Texas by George Bock and Earl Luna which opposes single member districts and supports the multi-member district concept.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to all members of the Legislative Redistricting Board and the Governor of the State of Texas so they may be apprised of the grass roots thinking of the Precinct Chairmen instead of the thinking of the self-appointed spokesmen who have attempted to lead the public to believe otherwise.

PASSED AND ADOPTED this 22nd day of September, A. D. 1971.


EARL LUNA, Chairman, Dallas County
Democratic Executive Committee


GEORGE BOCK, Secretary, Dallas County
Democratic Executive Committee

ALLEN MELTON
ATTORNEY AND COUNSELOR
1512 COMMERCE STREET
SUITE 1115
DALLAS, TEXAS 75201

October 4, 1971

Crawford C. Martin
Attorney General of Texas
Supreme Court Building
Austin, Texas 78711

Dear Crawford:

cM
Thanks to you for your letter of September
30th. — — — — — 1/30

My letter of September 29th was intended
as a direct request to you for you to hold
to the multi-member district concept. Con-
servatives cannot get elected from single
member districts except in a few specific
instances. Republicans will grab the more
conservative districts and liberals the
others.

Very truly yours,

Owen Beale
Allen Melton

AM:bc

P-1044
F-1125-4241
MCP 337 3638

S R SINGLETON PRESIDENT
J M MAUL AND W V TIGER
S H STEPHENS VICE PRES

M & S Construction Co.

P. O. BOX 21027 DALLAS, TEXAS 75211



October 15, 1971

Hon. Crawford Martin, Attorney General
Capital Station
Austin, Texas

Dear Sir:

I request that you use your influence to help Dallas County
retain electing it's Legislators at Large.

Thank you for your assistance in this matter.

Yours very truly,

S. R. Singleton
S. R. Singleton
P. O. Box 82
Cedar Hill, Texas 75401

100-40
Rev 7-2984-A-240
MAY 1971

100-40
Rev 7-2984-A-240
MAY 1971

M & S Construction Co.

P.O. BOX 21027 DALLAS, TEXAS 75211



October 15, 1971

Hon. Crawford Martin, Attorney General
Capital Station
Austin, Texas

Dear Sir:

I request that you use your influence to help Dallas County
retain electing it's Legislators at Large.

Thank you for your assistance in this matter.

Yours very truly,

W.E. Williams

W. E. Williams
629 Davanshire
Richardson, Texas 75080

LEISURE
OFFICE: 2111 N. 4948
SHOP 327 3638

S. R. SINGLETON PRESIDENT
J. P. (PAUL) ANDREWS V. PRES
S. H. STEPHENS SECY. TREAS

M & S Construction Co.

P. O. BOX 21027 DALLAS, TEXAS 75211



ack

October 15, 1971

Hon. Crawford Martin, Attorney General
Capital Station
Austin, Texas

Dear Sir:

I request that you use your influence to help Dallas County
retain electing it's Legislators at Large.

Thank you for your assistance in this matter.

Yours very truly,

✓ S. H. Stephens
3345 Shady Hollow Lane
Dallas, Texas 75233

ark

Dallas, Texas
October 5, 1971.

Mr. Crawford Martin
Attorney General
Austin, Texas 78711

Dear Sir:

As a member of the Legislative Redistricting Board you will have great effect on the government of Texas for the next ten years.

The people of Dallas County have a great deal at stake. We are particularly concerned with the kind of a new constitution that may be written by the next Legislature, if the voters authorize it.

It is vitally important that Dallas County retain the election of its Legislators at Large. This has proved to be very advantageous. It would also be advantageous for our Senators to be elected at large.

Your consideration will be greatly appreciated.

Sincerely yours,

*W. Lucile Orr
Precinct Chairman 314*

cc: M

Dallas, Texas
October 5, 1971.

Hon. Gus Mutscher, Speaker
House of Representatives
Austin, Texas 78711

Dear Sir:

As a member of the Legislative Redistricting Board you will have a great effect on the government of Texas for the next ten years.

The people of Dallas County have a great deal at stake. We are particularly concerned with the kind of a new constitution that may be written by the next Legislature, if the voters authorize it.

It is vitally important that Dallas County retain the election of its Legislators at Large. This has proved to be very advantageous. It would also be advantageous for our Senators to be elected at Large.

Your consideration will be greatly appreciated.

Sincerely yours,

Mary Minnie Harmon

ark

Dallas, Texas
October 5, 1971.

Hon. Crawford Martin
Attorney General
Austin, Texas 78711

Dear Sir:

As a member of the Legislative Redistricting Board you will have a great effect on the government of Texas for the next ten years.

The people of Dallas County have a great deal at stake. We are particularly concerned with the kind of a new constitution that may be written by the next Legislature, if the voters authorize it.

It is vitally important that Dallas County retain the election of its Legislators at Large. This has proved to be very advantageous. It would also be advantageous for our Senators to be elected at Large.

Your consideration will be greatly appreciated.

Sincerely yours,

N.C. Tate Levy

Dallas, Texas
October 5, 1971.

Hon. Crawford Martin
Attorney General
Austin, Texas 78711

Dear Sir:

As a member of the Legislative Redistricting Board you will have a great effect on the government of Texas for the next ten years.

The people of Dallas County have a great deal at stake. We are particularly concerned with the kind of a new constitution that may be written by the next Legislature, if the voters authorize it.

It is vitally important that Dallas County retain the election of its Legislators at Large. This has proved to be very advantageous. It would also be advantageous for our Senators to be elected at Large.

Your consideration will be greatly appreciated.

Sincerely yours,

N.C. E. Yroh

act

CARROLL L. BACCUS
3500 FIRST NATIONAL BANK BUILDING
DALLAS, TEXAS 75202

October 12, 1971

Hon. Crawford Martin, Attorney General
Capital Station
Austin, Texas

Dear Sir:

As a Democratic Precinct Chairman of Precinct #109, Dallas County, Texas, I urge you as a member of the Legislative Redistricting Board to retain the election of legislators at large rather than having single member districts. Certainly by having legislators elected at large the whole county and the metropolitan area will benefit from having legislators who are interested in their community as a whole rather than a small section of the county and city. Therefore, I urge you to let Dallas County retain electing its legislators at large. Furthermore, it would increase our government structure if we were entitled to vote on our state senators at large. Your consideration in this matter will certainly be appreciated.

Sincerely,

cc Carroll L. Baccus
Carroll L. Baccus

JOHN W. WASELL, AIA
ARCHITECT
301 MERCANTILE SECURITIES BUILDING
DALLAS, TEXAS 75201
214 741-4863

redict
ark

October 14, 1971

The Honorable Crawford Martin
Attorney General of the State of Texas
Capitol Station
Austin, Texas 78711

Dear Sir:

It is very important to the future of Dallas County that our representatives to the Texas Legislature be elected at large and thus continue the present system which promotes the best interests of the entire area as a whole.

The single member district plan fragments the county and lends itself to the development of a ward politics system, which has historically led to a very undesirable political climate.

I urge you to redistrict not only Dallas County but also other metropolitan areas on the basis of multi-member districts.

Sincerely yours,

John W. Wassell

John W. Wassell
JWW.DD

CY BLACKBURN INSURANCE AGENCY
Complete Line of Insurance

227 PLEASANT GROVE SHOPPING CENTER
P. O. BOX 17038
DALLAS, TEXAS 75217
EX 1-4171

October 8, 1971

Redistricting Board
Capitol Building
Austin, Texas

ATTN: Honorable Crawford Martin, Chairman

Gentlemen:

Dallas County has elected their ^{up} under the "At Large" System since the beginning of Dallas and we have prospered under this method. I urgently request that no changes be made from the system.

Yours very truly,

N ✓
C. O. Blackburn

COB:dw

pk

5025 Milam Street
Dallas, Texas

Hon. Crawford Martin
Attorney General
Capitol Station
Austin, Texas

Dear Sir:

I am asking you as member of the Legislative Redistricting Board that Dallas County retain electing its Legislators at large.

Mrs Alvis G. Carter

Mrs. Alvis G. Carter
Precinct Chairman
Precinct No. 250

October 15, 1971

ack

Honorable Crawford Martin, Attorney General
Capitol Station
Austin, Texas 78701

Dear Sir:

As a member of the Legislative Redistricting Committee, I ask that you retain our system of selecting members of the Texas House on an "at large" basis. I believe this more nearly reflects the total wishes of the people who are trying to promote the general good of the more populous areas.

Electing State Senators on an "at large" basis is a good idea, also.

Thank you for your consideration.

Yours very truly,

John V. Goolsby
John V. Goolsby
P. O. Box 3000
Dallas, Texas 75221

R. BEARD, Mayor Pro-Tem
 GALLOWAY, Councilman
 "CHIP" MacLELLAND, Councilman

DR. DON H. COOK, Councilman
 BILL J. SMITH, Councilman
 JERRY F. SHARP, Councilman



CITY OF MESQUITE

GEORGE BOYCE - MAYOR

October 7, 1971

Hon. Crawford Martin, Attorney General
 Capitol Station
 Austin, Texas

Dear Mr. Martin:

Please put me on record as favoring our present system of electing Dallas County Representatives at large.

Past records will bear me out that this system keeps our Representatives from catering to special interest groups in relatively small geographical areas and keeps them sensitive to the needs of the entire metropolitan area.

I might also add that I feel that more cooperation between the cities could be attained if our Senators were also elected at large.

Thank you for your consideration.

Sincerely yours,


 C. G. "Chip" MacLellan
 Councilman

CCM:pd

C.R.

October 8, 1971

Honorable Crawford Martin
Attorney General, State of Texas
Capitol Station
Austin, Texas 78711

Dear Mr. Martin:

As a resident of Dallas County since 1927 and as a long-time member of the Democratic Party, I strongly urge that you, as a member of the Legislative Redistricting Board, resist any pressures to divide Dallas County up into single-member legislative districts. I have followed this matter rather closely, and I am firmly convinced that the cause of good government would not be served by single-member districts at this time.

Your careful and conscientious consideration of this matter will be greatly appreciated.

Sincerely yours,

N
R. L. Gleaves

R. L. Gleaves
1210 Oak Cliff Bank Tower
Dallas, Texas 75208

THE
SOUTHLAND
CORPORATION

October 6, 1971

Honorable Crawford Martin
Attorney General
Capitol Station
Austin, Texas

Dear Sir:

Knowing that you are a member of the Legislative Re-districting Board, I would like to urge that you and the entire Board consider the retaining of electing Representatives for the Legislator on an at Large basis.

I feel that this more fully represents the people of Dallas in its entirety, rather than breaking it up into small sections. I do hope that you will encourage your fellow board members to do the same. Thanks ever so much for all of your considerations.

Very truly yours,

Jere W. Thompson
Jere W. Thompson

JWT:ho

ans

V. E. Emory, Inc.
MASONRY CONTRACTOR
P.O. Box 38299 Phone EM 8-3280
Dallas, Texas 75238

October 5, 1971

Capitol Station
Austin, Texas

Attn: Attorney General

Honorable Crawford Martin:

I sincerely hope that Dallas County can retain electing our legislators at large. It would be a shame to see a county so well represented be carved up into legislative districts that would in essence, lose its over all effectiveness as a segment of our governing body.

The same would hold true of our senators being elected at large. It is evident the majority of the people in Dallas County would continue to have good representation with all legislators and senators being elected at large.

I am sure you will evaluate this matter carefully and bring it to a favorable conclusion, your efforts in behalf of the people of Dallas County, as well as our great State of Texas, are greatly appreciated.

Respectfully,

VE V. E. Emory

VEE:pd

YARBROUGH CONSTRUCTION CO.
CONTRACTORS AND ENGINEERS
4425 GREENVILLE AVENUE
DALLAS, TEXAS 75206

October 4, 1971

Hon. Crawford Martin, Attorney General
Capitol Station
Austin, Texas

Re: Legislative Redistricting

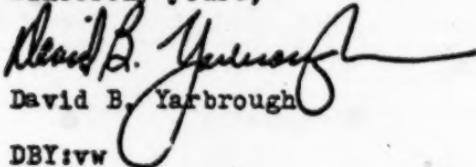
Dear Mr. Martin:

It is my understanding that the Legislative Redistricting Board is to meet this month to consider the matter of how Dallas County representatives are elected.

I would like to take this means of expressing to you my preference in this matter and that is, that we retain the present method of electing "at large" representatives in our County.

We will be appreciative of your consideration of our viewpoint.

Sincerely yours,


David B. Yarbrough

DBY:vw

W
Dallas, Texas 75205
October 7, 1971

Dear Mr. Martin:

Thank you for serving our state as one of our elected officials.

We address you as such and as a member of the Redistricting Commission.

First, sir, we register with you our desire for multimember districts, not single-member.

Second, we are NOT in favor of gerrymandering to accomplish political ends.

We do trust, sir, that your attitudes and actions in state government, and personally, will merit our affirmative in the future.

Very truly yours,
Mr. and Mrs. James Vining

JAS. W. PORTER
P.O. BOX 47127
DALLAS, TEXAS 75247

October 4, 1971

The Honorable Crawford Martin
Attorney General
Capitol Station
Austin, Texas

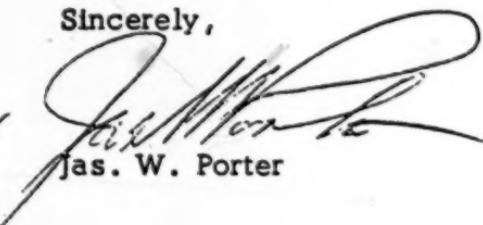
Dear Mr. Martin:

I am asking that you as a member of the Legislative Redistricting Board permit Dallas County to continue to elect its Legislators at Large as opposed to dividing Dallas County into single member Legislative Districts.

For a large metropolitan area such as Dallas County to have sound economic growth and a healthy political climate, it is necessary that the elected officials have a unity of purpose. To create many Legislative Districts in such an area can create division, distrust, and disunity.

Your assistance in permitting Dallas County to elect its Legislators at Large is earnestly solicited.

Sincerely,

Nle 
Jas. W. Porter

WALTER P. MORGAN, JR.

3817 Irving Boulevard

Dallas, Texas 75247

October 4, 1971

Dear Crawford:

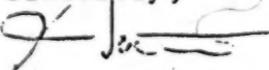
I ask you, as a member of the Legislative Redistricting Board, to vote for and to use your influence to allow Dallas County to retain its Legislators at Large.

In the years past, Dallas County has succeeded in sending to the State Legislature a delegation composed in a great majority of stable and responsible folks who have done credit to our state. The Dallas Delegations have been a great factor in keeping our state a fine one to live in and a fine one to do business in.

I also suggest that our Dallas Senators would better represent the majority of the thinking of the Dallas people if they too were elected at large.

Best personal regards.

Sincerely,



W. P. Morgan, Jr.

The Honorable Crawford Martin
Attorney General
Capital Station
Austin, Texas

act

October 5, 1971

Honorable Crawford Martin
Attorney General of the State of Texas
Capitol Station
Austin, Texas

Dear Mr. Martin:

Please strongly consider defeating the single member district concept for Dallas County. I honestly believe multi-member districts are for the best representation of all the people.

Sincerely,

cc: Mrs. R.S. Lewis Jr.
18210 Cromwell Drive
Dallas 75229

ark

JOHN LAWRENCE
P. O. Box 718
DALLAS, TEXAS 75221

October 4, 1971

Honorable Crawford Martin
Attorney General of the State of Texas
Capitol Station
Austin, Texas

Dear Mr. Martin:

I understand there is a movement afoot to carve Dallas County into single member legislative districts. To me, this would be a mistake, and it is my hope you let Dallas County continue to retain electing its legislators at large.

I hope you agree.

Sincerely,

John Lawrence

N ✓ Mrs. Joe A. Wilson
14921 Green Valley Drive
Mesquite, Texas 75149

Honorable Crawford Martin
Attorney General of Texas
Supreme Court Building
Austin, Texas

Re: House Redistricting

Dear Mr. Martin:

The pending redistricting of the Legislative Districts of Texas is of great concern to me. Please allow Dallas County to continue to be represented by multi-member districts, as I am convinced this type of representation is the best for everyone in each particular district.

Thank you for your consideration.

Yours very truly,

N ✓ *Sunny Wilson*
Sunny Wilson

PRESBYTERIAN HOSPITAL OF DALLAS 6200 WALNUT HILL LANE / DALLAS, TEXAS 75231 / (214) 369-4111

Rod Bell / Administrator

u.d.

October 5, 1971

The Honorable Crawford Martin
Attorney General
Capitol Station
Austin, Texas

Dear Crawford:

With your reapportionment coming up and the very key position you occupy in this respect, I think it fair and appropriate to give you an honest opinion.

Ninety-nine per cent of your friends in the Dallas area, the people who supported you in the past and will again in the future, believe that our representatives are best selected on a county-wide basis. The larger the units, the greater the democratic action process is.

We've gone a long way to get away from pockets, cells, and precinct dominations, and I hope you and your group will continue to give the Dallas citizens the privilege of county-wide selection.

Warmest personal regards.

Cordially yours,

Rod Bell

Rod Bell
Administrator

RMB:DR

J. M. HAGGAR, JR.
6113 LEMMON AVENUE
DALLAS, TEXAS

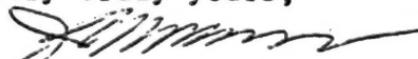
October 5, 1971

Dear Atty. Gen. Martin:

You now have under consideration changing the manner in which legislators are elected in Dallas county. I feel the method of giving all the people an opportunity to elect the legislators at large gives everyone in the city a voice in this election and at the same time gives proper representation.

I hope you will give consideration to the above and maintain the present method of electing our legislators at large.

Very truly yours,



J. M. Haggar, Jr.

The Honorable Crawford Martin
Attorney General
Capitol Station
Austin, Texas

JAMES L. SEWELL
1316 FIDELITY UNION LIFE BUILDING
DALLAS, TEXAS 75201

October 6, 1971

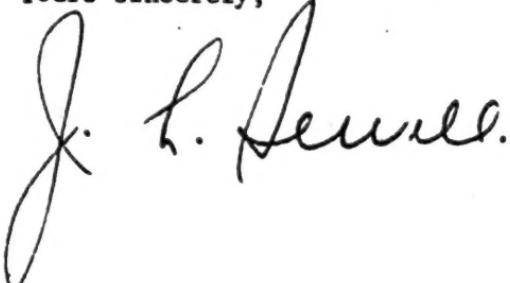
The Honorable Crawford Martin
Attorney General of Texas
Capitol Station
Austin, Texas

Dear Mr. Attorney General:

For a number of years Dallas County as a single Legislative District has elected its legislators on an at large basis.

I urgently request you to support continuance of this county-wide Dallas Legislative District.

Yours sincerely,



Oct 5, 1971

Hon. Crawford Martin
Capitol Station
Austin, Texas

Dear Sir

During deliberations
of the Redistricting Board
the writer is hopeful
you will support Dallas
County to retain electing
its Legislators at large.

I believe this would
best serve the interests
of all the voters in Dallas
County rather than
having single member
districts.

Sincerely

W.H. Ruth

THE Ambassador HOTEL
C. R. TIPS, President



1313 SOUTH ERVAY
DALLAS, TEXAS 75215
B 2-9003

October 5, 1971.

Hon. Crawford Martin
Attorney General
Austin, Texas 78711

Dear Sir:

As a member of the Legislative Redistricting Board you will have a great effect on the government of Texas for the next ten years.

The people of Dallas County have a great deal at stake. We are particularly concerned with the kind of a new constitution that may be written by the next Legislature, if the voters authorize it. It is vitally important that Dallas County retain the election of its legislators at Large. This has proved to be very advantageous. It would also be advantageous for our Senators to be elected at Large.

Your consideration will be greatly appreciated.

Sincerely yours,

Charles R. Tips
Charles R. Tips.

CRT:gs

Charles

3143 Grayson Drive
Dallas, Texas 75224
October 1, 1971

The Honorable Crawford Martin
Capitol Station
Austin, Texas

Dear Mr. Martin:

My husband and I are very much against single member districts for Dallas County. At Large representation gives Dallas County a more or less unified voice in Austin. Single member districts would cause serious disunification among our Legislators.

One single Legislator cannot adequately represent the population, businesses, industries and political climate of a district. We desperately need more than one voice representing one slice of the pie. Dallas needs multi member district representation. We do not need our County split!

Please give this matter serious consideration.

Very sincerely yours,

Mrs. Ralph E. Robinson

Ridley

AVERY MAYS CONSTRUCTION CO.

P. O. BOX 36612

DALLAS, TEXAS 75235**October 5, 1971****AVERY MAYS
CHAIRMAN OF THE BOARD**

The Honorable Crawford Martin
Attorney General
Capitol Station
Austin, Texas 78701

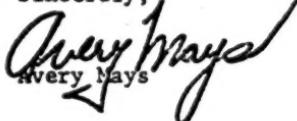
Dear General Martin:

We in Dallas County have had our State Representatives elected at Large for many years. In my judgment, this plan of representation has been most beneficial to our City and County in providing good government serving the needs of the majority of our citizens.

I am personally interested in retaining the at Large multiple county representation. Please continue the same plan if it is possible to do so in compliance with existing laws and regulations.

Thanks for your fine public service; particularly, in this important consideration now before you.

Sincerely,


Avery Mays

AM:cl

PATTERSON & DEARIEN
ATTORNEYS-AND-COUNSELORS AT LAW
REPUBLIC BANK TOWER, SUITE 2016
DALLAS, TEXAS 75201
TELEPHONE 744-2171

October 4, 1971

Honorable Crawford Martin, Attorney General

Honorable Ben Barnes, Lt. Governor

Honorable Bob Armstrong, Land Commissioner

Honorable Robert Calvert, Comptroller

Honorable Gus Mutscher, Speaker - House of Representatives

State Capitol Building, Capitol Station
Austin, Texas

Re: Senate and Legislative Re-districting Board

Gentlemen:

We strongly urge that Dallas County retain electing its Legislators at large and suggest to you that the only equitable way would be for Dallas County to elect our Senators in the same manner.

Sincerely yours,


W. Drake Patterson

WILLIAM H. ESTES*Real Estate • Investments*

126 ESTES LAKES SHOPPING CENTER • DALLAS, TEXAS 75217 • PHONE EVI-4383

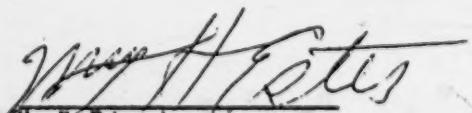
October 5, 1971

ad
Hon. Crawford Martin
Attorney General
Capitol Station
Austin, Texas

Dear Sir:

It is my honest opinion that the Citizens of Dallas County would be better served by continuing to have its Legislators elected at large, rather than single member districts.

In fact, I think it would be better to have the Senators also elected at large. I, for one, would appreciate you keeping this in mind when you set down to consider Redistricting Dallas County.



William H. Estes
Precinct Chairman
Precinct #331, Dallas, County

MISSOURI PACIFIC RAILROAD COMPANY

800 FIDELITY UNION TOWER
 1507 PACIFIC AVE., DALLAS, TEXAS 75201
 TEL. AREA CODE 214 748-8181
MARK H. HENNELLY
 VICE PRESIDENT AND GENERAL COUNSEL

WM. R. McDOWELL
 GENERAL COUNSEL—SOUTHERN LINES
WM. C. DOWDY, JR.
 GENERAL ATTORNEY
TOM L. FARMER
 GENERAL ATTORNEY

J. P. SIMPSON
 GENERAL ATTORNEY
THOMAS A. LOOSE
 ASSISTANT GENERAL ATTORNEY
REX WATSON
 ATTORNEY

October 6, 1971

Hon. Crawford Martin
 Attorney General
 Capitol Building
 Austin, Texas

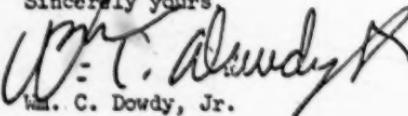
Dear General:

As a Precinct Chairman and a conservative Democrat, I urge you to retain our multi-member Legislative District in Dallas County. As a matter of fact, it would help us "middle-of-the-roaders" if our Senators were also required to run at large.

As you know, we have a broad spectrum of representation in our legislative delegation - a Black, a Jew, a Greek, a Republican, etc. Unfortunately on the Senate side, under our single-member district representation, we have two Liberals and one Republican with the vast majority of conservative middle-of-the-roaders (who also constitute a majority on our County Democratic Executive Committee) being totally unrepresented.

I sincerely ask that you not disfranchise us by carving Dallas into single-member districts.

Sincerely yours,



Wm. C. Dowdy, Jr.

WCD/sr

H & H BUILDERS

P. O. BOX 64650 TELEPHONE 824-8562
DALLAS, TEXAS 75206

redistricting

September 30, 1971

The Honorable Crawford Martin
Attorney General of Texas
Capitol Station
Austin, Texas

Dear Sir:

For the overall good of Dallas County we request that we be allowed
to elect our legislators and senators At Large.

We have had outstanding representatives, let's keep them.

Very truly yours,

C. W. Hagler

C. W. Hagler '71

M/jg

H & H BUILDERS

P. O. BOX 64650
64650
TELEPHONE 824-8562
DALLAS, TEXAS 75206

redistricting

September 30, 1971

The Honorable Crawford Martin
Attorney General of Texas
Capitol Station
Austin, Texas

Dear Sir:

Dallas County has had good representation. Please retain election
of our legislators at large.

Very truly yours,

Robert L. McKee
Robert L. McKee
N.C.

RIM/las

CCM
redundant

ALVIN R. HAGLER
2900 MCFARLIN
DALLAS, TEXAS 75205

September 30, 1971

The Honorable Crawford Martin
Attorney General of Texas
Capitol Station
Austin, Texas

Dear Sir:

We request that you permit Dallas County to retain election of it's Legislators at Large. Also request that our senators be elected at large.

We believe that this will give Dallas County the best representation of any system.

Thanks for your consideration.

Very truly yours,

Al Hagler

Alvin R. Hagler
Democrat Chairman
Precinct 174

ARH/las

HAGLER

Construction Company



GENERAL CONTRACTOR

4111 N. CENTRAL EXPRESSWAY • DALLAS, TEXAS 75204 • LAkeside 6-8951

September 30, 1971

Redistricting

The Honorable Crawford Martin
Attorney General of Texas
Capitol Station
Austin, Texas

Dear Sir:

At Large election of our legislators in Dallas County is a must to keep the most qualified men. Request you retain At Large election for Dallas County.

Very truly yours,

Robert L. Saunders
Robert L. Saunders NC

RLS/lid

STANFIELD AND GREENBERG
ATTORNEYS AND COUNSELORS AT LAW
1105 MERCANTILE SECURITIES BUILDING
DALLAS, TEXAS 75201

AREA CODE 214

748-8348

September 30, 1971

RICHARD L. STANFIELD

ROBERT M. GREENBERG
JOHN CURTIS WHITE

Honorable Crawford Martin
Attorney General of Texas
Supreme Court Building
Austin, Texas

Re: House Redistricting

Dear Mr. Martin:

As a member of the Legislative Redistricting Commission, certainly the future of House representation as we in Dallas County have known it is now in your hands. I sincerely believe that multi-member districts offer the best possible representation for the people of Dallas County. Every individual, element, or group of our society within each multi-member district has had, and can expect to have if multi-member districts are retained, a responsive Representative, and therefore an active voice in Texas Government.

Fair and adequate representation is what most concerns the citizens of Dallas County at this time. I will appreciate your giving every consideration to the retention of the multi-member district concept for Dallas County.

Respectfully,


John Curtis White

JCW/sw

NC

OTIS ELEVATOR COMPANY

OTIS BUILDING
1822 YOUNG STREET
DALLAS, TEXAS 75221

October 1, 1971

Hon. Crawford Martin
Attorney General
Capitol Station
Austin, Texas

Subject: Legislative Re-districting

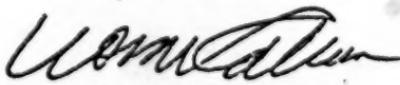
Dear Mr. Martin:

Regarding the above subject, may I urge you to vote to retain Dallas County electing it's Legislators at Large.

Very truly yours,

OTIS ELEVATOR COMPANY

W.C.


W. O. McCallum
Regional Sales Manager

WOM:ih



127

THE ATTORNEY GENERAL
OF TEXAS

CRAWFORD C. MARTIN
ATTORNEY GENERAL.

AUSTIN, TEXAS 78711

October 4, 1971

Melvin

Mr. Sam O. Harris, Jr., Chairman
Democratic Precinct No. 165
P. O. Box 10161
Dallas, Texas 75207

Dear Mr. Harris:

Thank you for your letter of October 1st concerning legislative redistricting. As Chairman of the Legislative Redistricting Board, I can assure you that your request will be brought to the attention of the Board and will be given every consideration before a vote is taken.

I would like to explain that the Board is operating within very narrow limits. The Supreme Court of Texas has ordered that no county lines can be crossed unless it is absolutely necessary to do so, and the Supreme Court of the United States says that the one-man one-vote principle must apply in order to protect the minority groups. At this time I am not certain what the Board can do, but we will make every effort to comply with the law.

I appreciate your taking the time to give me the benefit of your views in this connection. With kind regards, I am

Sincerely,

Crawford C. Martin

CCM/rq

S. O. HARRIS CORPORATION construction services

P. O. BOX 10161

DALLAS, TEXAS 75207

PHONE 357-1127

NEW LOCATION
509 MEADOWS BLDG. DALLAS
PHONE 691-8157

1 October 1971

Hon. Crawford Martin, Attorney General
Capitol Station
Austin, Texas

RE: Legislative Re-districting

Dear Honorable Martin,

The people of Precinct 165 Dallas County are much concerned with the proposed legislation of re-districting. We feel that Dallas County should retain electing it's Legislators at Large.

We would appreciate your help in this matter.

Sincerely Yours,

Sam O. Harris, Jr.
Sam O. Harris, Jr.
Dem. Precinct Chairman #165
Dallas County

NO

CHARLES MAX COLE, M. D.
MEDICAL ARTS BUILDING
DALLAS

October 1, 1971

Honorable Crawford Martin
Attorney General
State of Texas
State Capitol Building
Austin, Texas 78701

Re: Legislative
Re-districting

Dear Mr. Martin:

I know that you have an extremely difficult problem in redistricting the state, one that will challenge your full wisdom and experience.

I only want to say that I believe the best interests of an entire community such as we have in Dallas County is best served when our representatives are elected at large. I hope that your recommendations will retain this method of election rather than embrace the single member districts proposed by a few.

With best wishes, I am,

Sincerely yours,

Charles Max Cole
Charles Max Cole, M. D.



**CROSLIN
BROTHERS**
GENERAL CONTRACTORS

P.O. Box 31313
Dallas, Texas 75231
214/233-6555
12045 Colt Road

October 1, 1971

Hon. Crawford Martin, Attorney General
Capitol Station, Austin, Texas

Dear Sir:

I feel, after reviewing the situation, that it is in the best interest of Dallas County for our legislators to be elected at large.

I would appreciate any assistance in this matter that you feel proper.

Also, I am grateful for the sincere efforts being put forth by our state government at this time.

Very truly yours,

W. B. Croslin

W. B. Croslin

WBC/ms





**CROSLIN
BROTHERS**
GENERAL CONTRACTORS

P.O. Box 31313
Dallas, Texas 75231
214/233-6655
13045 Cort Road

October 1, 1971

Hon. Crawford Martin, Attorney General
Capitol Station, Austin, Texas

Dear Sir:

I feel, after reviewing the situation, that it is in the best interest of Dallas County for our legislators to be elected at large.

I would appreciate any assistance in this matter that you feel proper.

Also, I am grateful for the sincere efforts being put forth by our state government at this time.

Very truly yours,

W. B. Croslin

W. B. Croslin

WBC/ms



NC
GEORGE BOCK
P. O. BOX 15725
DALLAS, TEXAS 75215

September 29, 1971

Honorable Crawford Martin, Attorney General
Capitol Station
Austin, Texas

Re: Legislative Re-Districting

Dear Sir:

At a meeting of the Democratic Executive Committee of Dallas County a few nights ago, with only two dissenting votes, the Committee approved a resolution asking that Dallas County remain a multi-member District.

Any thing else would ruin the Democratic Party of Dallas County.

The best analysis of the reasons why are contained in the Amicus Brief submitted by Earl Luna in the recent case before the Texas Supreme Court. At present, we have elected one Negro, one Greek, one Jew, several Catholics and Protestants and one Republican. No one can say that the system discriminates. On the other hand, the single member Senate Districts have elected two Liberal Democrats and one Republican; none of whom represent a consensus of the entire Dallas County population. If the County is split into separate Districts, those Conservatives who have been working within the Democratic Party of Dallas County will not be able to elect any future Conservatives to the Legislature and they know it. The Party will lose the virility of their volunteer efforts. And we will most certainly wind up with 5 or 6 Republicans.

In urban Centers, there is not a wide spectrum of occupations and interests in an area of 70,000 people as there are in rural areas and small county seats. Many people are not necessarily in favor of their next door neighbor.

Dallas County has a Hospital District, about fifteen municipalities, about fifteen School Districts, several water districts, a Junior College District, etc. We feel that these are better off under a multi-member Legislative District.

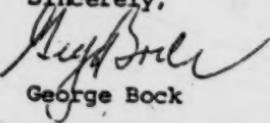
Another thing to consider is the impracticability of being able to establish new precinct lines, if the County is cut up, in time for the Tax Assessor to issue new voting registration certificates. I understand that it will be an impossibility.

Hon. Crawford Martin
Re: Legislative Re-Districting
September 29, 1971

Page 2

Multi-member districts are a bar to gerrymandering. Gross gerry-mandering was the cause of the Bill that passed getting into trouble. Where it did not get into trouble, I see no reason for the Board to override what passed the last Legislature that was not declared unconstitutional by the Court.

Sincerely,



George Bock

GB/br

151
RICHARD L. STANFIELD

STANFIELD AND GREENBERG
ATTORNEYS AND COUNSELORS AT LAW
1005 MERCANTILE SECURITIES BUILDING
DALLAS, TEXAS 75201
AREA CODE 214
748-5348

September 30, 1971

ROBERT M. GREENBERG
JOHN CURTIS WHITE

Honorable Crawford Martin
Attorney General of Texas
Supreme Court Building
Austin, Texas

Re: Legislative Redistricting Commission - House Redistricting

Dear Mr. Martin:

In your consideration following the mandate of the Supreme Court to redistrict the House of Representatives, please give every consideration possible to leaving the House of Representatives in Dallas County as multi-member districts. It is only through multi-member districts that the people can be properly represented in the Texas House of Representatives.

History has shown that the multi-member district concept, particularly as it relates to Dallas County, has not and will not discriminate against any minority, whether political or ethnic. As you know, the present House Delegation from Dallas is made up of many minority groups and this certainly would not be true in a single member district situation. The only people clamoring for single member districts are the losers in the last Democratic primary. If we are to change our system of Government to satisfy those who lose at the polls, we would be forever changing what has gone down through the years as the best system of Government the world has ever known.

I will certainly appreciate every consideration you can give to the multi-member district concept as it relates to the Texas House of Representatives in Dallas County.

With every good wish for success, I remain

Respectfully,

Robert M. Greenberg

Robert M. Greenberg

RMG/sw

OTIS ELEVATOR COMPANY

OTIS BUILDING
1822 YOUNG STREET
DALLAS, TEXAS 75221

October 18, 1971

Mr. Crawford Martin
Attorney General
Capitol Station
Austin, Texas

RE: Legislative Re-districting

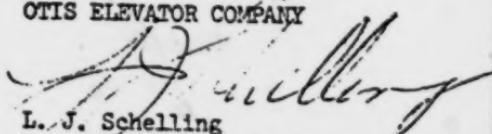
Dear Mr. Martin:

Regarding the above subject, may I urge you to vote to retain Dallas County electing it's legislators at Large.

Very truly yours,

OTIS ELEVATOR COMPANY

NC


L. J. Schelling
Regional Service Sales Supervisor

S/ka

DICK STROMAN REAL ESTATE

1201 So. Buckner Boulevard
P. O. Box 17002 :: Dallas, Texas 75217
Phone (214) 391-2159

October 1, 1971

The Honorable Crawford Martin, Attorney General
Capitol Station
Austin, Texas

Dear Mr. Martin:

In your consideration of redistricting of the House of Representatives I respectfully request that you retain the present method of electing members from Dallas County to this legislature body of our state government. The multi-member district has provided an opportunity for all of the people of Dallas County to elect their representatives.

Single member districts in Dallas County would cause a fraction of the representatives and tend to destroy the total community interest.

I would also recommend that you consider a multi-member district for the State Senate because this method of election would provide better representation for the people of this county.

I appreciate your serious consideration of these requests.

Sincerely,

R. H. Stroman
R. H. (Dick) Stroman

RHS/cg

Texas Today

*copy to [unclear] McDaniel Dallas Morning News
10-16-71 [initials]
[initials] note 268*

Dallas Is the Most Crowded City

By WALTER E. MOORE
Editor, Texas Almanac

DALLAS is Texas' most crowded county. Data just received from the 1970 U.S. Census show that Dallas County has a population of 1,545.2 per square mile of land area, 859 square miles.

That is more than 500 persons per square mile greater than the population density in Harris County. The state's most populous county has 1,011 persons per square mile of land area. Its land area is 1,723 square miles.

Other populous counties also have a much smaller population density than Dallas. Bexar County (San Antonio) is listed as having 668.5 persons per square mile, El Paso 339.9 per square mile, and Tarrant County had 632 persons per square mile of land area when the count was made in April, 1970.

Texas continues to be a land of wide open spaces, with only 42.7 persons per square mile average for its 262,134 square miles of land area. That figure, however, represents a significant rise in density from the 1960 average of 36.4 Texans per square mile. In 1950 there were only 29.3 Texans per square mile and the average was 24.3 in 1940.

Growing population is the major reason for the rising population density, of course. But the land area is diminishing

also because of man-made lakes. Dallas County is shown with a 1970 land area of 859 square miles, whereas the 1960 figure was 892.

For Texas, the Bureau of Census gives a land area of 262,134 square miles, a small decrease from the 1960 figure of 262,640.

Dallas residents who get a fenced-in feeling from these figures can find consolation in another aspect of the situation. Population density makes an area attractive to businesses that depend upon consumer buying, and that makes Dallas County tops in Texas.

Those wanting more breathing space can find that in Texas, too. Many counties have fewer than two persons per square mile and several (Hudspeth, Kenedy and King) have only one resident for each two square miles.

As Texans move to urban areas, the predominantly rural counties are declining in population density. Eastland County, for example, now has 19 residents per square mile, compared with 20.5 when the 1960 Census was taken. Delta County shows a drop from 21.2 to 17.9 persons per square mile of land area during the decade. There are many others with the same trends.

Comparing Dallas County's density with that of foreign nations is rather startling. The figure of 1,545.2 for our home county compares with an average of 708 per square mile in Japan, 606 in West Germany, 810 in Holland, 818 in Belgium, 415 in India and an estimated 1,200 per square mile in the congested river valleys of Communist China.

With the world's population expected to double in the next three decades unless birth and death rates change drastically, congestion as well as food short-

ages will be pressing problems. Most acute of those problems will be outside our boundaries, in the poorer nations that now have two thirds of the world's population and a birthrate twice as great as in the more developed countries.

That projected growth rate of the world, doubling each 30 years and increasing eightfold during a century, happens to be just about the rate of population growth in the United States between 1800 and 1900 — a fact that caused Americans to brag in the past but now alarms them, according to a new book, "The London Times History of Our Times."

Here in Texas our population growth rate declined sharply during the 1960s as compared with previous decades. In fact, the 16.9 per cent gain from 1960 to 1970 was about one third less than the percentage increase during the 1950s and the smallest for any decade on record, except for the 10.1 per cent increase during the depression of the 1930s.

With the reduced birthrate and probably smaller net immigration, Texas' rate of growth during the 1970s may not be far from that low of 10 per cent. But that would mean about 1,120,000 more Texans, with most of them likely to locate in Dallas, Houston, Fort Worth and other metropolitan areas.

Ranking near the top in Texas problems, as it does in the U.S. and many other countries, is the need for redistribution of population. Texas has vast areas that need people, but those rural counties aren't likely to attract them unless ways can be found to create jobs and the other human needs and conveniences that most Americans now seek in cities.



MOORE

Cliff J Western Union Ben Martin
4

950P CDT OCT 9 '73 NSAA 38

MS DD112 XTO904 MA PDB 2 EXTRA DALLAS TEX 9 818P CDT

book

BEN CRAVYARD MARTIN
CHAIRMAN REDISTRICTING BOARD STATE CAPITAL AUSTIN TEX
UNABLE TO APPEAR BUT STRONGLY URGE
MCLLE MEMBER DISTRICT FOR
DALLAS COUNTY LAST SURVEY TAKEN COUNT VILLE INDICATES 81 PERCENT OF
VOTERS PREFER SINGLE MEMBER DISTRICTS SAME POLL VALIDATED
BY PREDICTING BEN BARNES VICTORY TO EXACT PERCENTAGE POINTS
JAMES V STRAUB STATE REPRESENTATIVE DALLAS TEXAS

6/2/66
(940)



State of Texas
House of Representatives
Austin, Texas

JAMES W. STROUD
3807 MCCOMMAS
DALLAS, TEXAS 75206

September 9, 1971

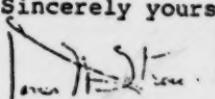
Honorable Crawford Martin
Attorney General, State of Texas
Chairman Redistricting Board
Supreme Court Building
Austin, Texas

Dear General Martin:

In yesterday's newspaper a news item appeared that Representatives Jack Blanton and Dick McKissack were in route to Austin with a plan to divide Dallas County into three districts containing six members each.

It appeared that this plan was from the Dallas Delegation and was to be presented to the Redistricting Board.

I called Representative Bill Braecklein and he had not heard of this plan and while we do not wish to discuss the merits of the plan since we have not had a chance to see it, we resent any attempt to submit this redistricting plan under the guise that it represents all of our delegation.

Sincerely yours,

James W. Stroud



Dear Mr. Martin

Western Union

195P CDT SEP 26 71 HSA163 NSX067 DB177
D LLB114 XXT0356 NO PDB 1 EXTRA DALLAS TEX 28 1209P CDT
ATTY GENERAL CRAWFORD MARTIN, ATTORNEY GENERALS OFFICE
TUX AUSTIN TX

ATTORNEY GENERAL MARTIN, SINCE THE HOUSE RE-DISTRICTING PLAN
WHICH WAS DECLARED UNCONSTITUTIONAL WAS THE CREATION OF SPEAKER
MUTSCHEK AND IN VIEW OF THE UNCERTAINTY SURROUNDING SPEAKER
MUTSCHEK'S STATUS I URGE THAT YOU AND THE OTHER THREE MEMBERS
ON THE RE-DISTRICTING BOARD NOT ALLOW SPEAKER MUTSCHEK TO INFLUENCE
IN ANY WAY EITHER THE HOUSE OR THE SENATE RE-DISTRICTING PLAN,
TO BE ADOPTED BY THE BOARD
REPRESENTATIVE DICK REED DALLAS.

20/10

(11241)

8418 Birchcroft
Dallas 75231
October 19, 1971

Dear Mr. Martin,

I was disturbed and disappointed at news that you favored multi-membered districts. This system of representation gives the voter a feeling of distance between himself and those who govern him. It leads to frustration & apathy. Single member legislative districts are a must in this day and age. Let's

bring government back
to the people!

Thank you for listening

Sincerely,

Catharine C. de Wit
(Mrs. Michiel de Wit)

N.C.

Dallas News 10-13-71
**Martin Casts Ballot
 For At-Large System**

ack

By TOM JOHNSON

Atty. Gen. Crawford Martin has definitely drawn in his lot with House Speaker Gus Mutschler on the Legislative Redistricting Board in favor of single-member, at-large state House districts in large counties such as Dallas, the Dallas News has learned.

The development means that the attorney general's plan, to be announced this week early Wednesday, will have all 18 state members in Dallas County running at-large, as in the past.

Martin and Mutschler are joined by Rep. Robert Calvert in favoring at-large system.

Lt. Gov. Ben Barnes and Land Commissioner Bob Armstrong, the other members of the 5-man board, will dismiss the majority in favor of single-member districts for the Texas Senate.

MARTIN HAD BEEN considered the man on the board. The expected plan is virtually certain to be attacked in the courts on the

basis that the at-large system discriminates against political and racial minorities.

Republicans, liberal Democrats and racial minority spokesmen have banded together in Dallas in favor of single-member districts. Many business interests and conservative Democrats came out strongly for the at-large plan.

HOUSTON ATTORNEY John Hill, a former secretary of state, made a strong plea at a public session of the board for single-member districts. He has intimated that he might challenge Martin in the attorney general's race in next year's Democratic primary.

The constitutionally authorized redistricting board is charged with drawing new House and Senate lines if the Legislature fails to do so after such decennial census. The Senate did not get around to redistricting itself and a House plan pushed by Mutschler was declared unconstitutional by a district court.

NW
 PAULIA WEAVER
 2118-D TUCKER STREET
 DALLAS, TEXAS 75214

Oct. 13, 1971

Dear General Martin:

The attached article, I certainly hope, is inaccurate. (I think I'd been warned abeyt Ben Barnes and how it's, you!)

I have followed your career for many years and few are generally a fair man so if this article is correct, I hope you will reconsider your position on the issue. "At-Large" belongs to the Texas of yesterday...

Sincerely,
 Paulia Weaver

ATTITUDES TOWARD SINGLE MEMBER DISTRICTS

"As you noticed, Dallas County voters will choose fifteen members for the Texas House of Representatives this year. Some people think each member should be elected from his own individual district; some think each should be elected by the whole county. In your opinion, which is better -- individual districts, or county-wide?"

<u>By Vote in State Representative Races</u>					<u>All Voters</u>
<u>Voted For</u>	<u>Voted For</u>	<u>Voted For</u>	<u>Did Not Vote</u>		
<u>Demo Only</u>	<u>GOP Only</u>	<u>Some Of Each</u>			
Individual districts	56%	62%	69%	62%	61%
County-wide	30	23	27	27	27
No difference	4	-	1	3	2
No opinion	10 100%	14 100%	3 100%	8 100%	9 100%

Base - number of
interviews . . . 203 104 74 119 500

<u>By Vote for President</u>				
<u>Humphrey Voters</u>	<u>Nixon Voters</u>	<u>Wallace Voters</u>	<u>Undecided Voters</u>	
Individual districts	54%	68%	60%	53%
County-wide	29	22	32	37
No difference	5	-	2	3
No opinion	12 100%	10 100%	6 100%	7 100%

Base - number of interviews . . . 164 206 100 30

5640 Bryn Mawr Dr
 Dallas, Texas 75209
 Saturday Oct. 16, 1971
 a/c



Dear Attorney-General Martin:

I am writing to urge you to adopt the single-member House District for Texas. From your fair-minded appraisal of the Senate re-districting, ~~you can see~~, I'm sure, that the single-member house district is really the only way to give fair representation to the people of our cities.

I think that as tax payers we residents of the city are entitled to the more democratic method of distributing our representatives. (Thus we stay mindful of that watchword of our American revolutionary war days - "No taxation without representation", Right?)

Sincerely yours,
 Frances P. Larson (Frances P. Larson)

11 Oct. 1971

Dear Sir:

I want "Gerrymandering" eliminated in the re-districting.

Also I want Single member districts.

These two items are a must for your re-districting committee or no member of the committee gets any further support from me (assuming you have closed meetings).

It is as simple as that.

Regards,

Homer A. RITCHESON
Homer A. RITCHESON
8366 Lullwater Dr.
DALLAS, TEXAS 75218

549-7116

10/18/71

*file
for review*

Attorney General
Crawford Martin
Austin, Texas

Dear Sir:

Why would Harris County deserve
single member districts and not
Dallas Co. Could it be that the
down town Dallas Establishment
and fat Cats have more power with
a redistricting Board than the people
them selves. Now here in Garland
we have had 3 U.S. Congressmen
2 State Senators and now put in
with Ellis - ~~Fitzstone~~ and Limestone Co
maternal dist - and by damn
we are getting tired of being kicked
around - and we will do our best
to retire some officials in Austin if
some thing isn't done about it.

We are tired of down town Dallas
 fat cats with their heavy contribution
 to ~~political~~ political candidates
 dominating every thing and every body
 now they have picked a candidate
 from Garland to run on their slate
 who has twice been defeated by
 the local voters here for a seat
 on the City Council ever - and
 who is very obnoxious to every one here
 why not try representing the voters
 wish for a change - I guarantee
 you that if you put it to a
 vote in Dallas to for single member
 districts it will carry overwhelmingly
 We are getting ready to organize like
 the women did against the property
 tax, and retire a bunch if some
 thing isn't done -

Felix D. Robinson
 1713 Hilltop Dr.
 Garland, Tex
 75042

answ
Dallas, Tex
OCT 19-71

John Crawford Martin
atty general
Capitol Station
Austin, Tex.

Dear Crawford:

On the redistricting - One man
one vote for equity to all.

Very truly yours,
John Dowd

Mr. Western Union

949 P CDT OCT 4 71 NS 362

MS DD121 XXT0906 LE PDMH DALLAS TEX.

ATTORNEY GENERAL CRAWFORD MARTIN

CAPITOL BLDG AUSTIN TEX

URGE YOU SUPPORT SINGLE MEMBER LEGISLATIVE DISTRICTS

Mr. DAN WICKER, LEGISLATIVE DIRECTOR, DALLAS AFL-CIO-2225 DUNLOP
DALLAS TEX.

AFL-CIO 2225. F.J.C.A.

N.C.

After **Western Union**

9:52P CDT OCT 4 71 NSA366

NS DD125 XXTD905 LE PON DALLAS TEX 4

ATTORNEY GENERAL CRAWFORD MARTIN

CAPITOL BLDG AUSTIN TEX

THE PROGRESSIVE VOTERS LEAGUE OLDEST BLACK POLITICAL ORGANIZATION

ENDORSES SINGLE MEMBER LEGISLATIVE DISTRICTS

Mr. EMMETT WHITMAN, PRESIDENT *1217 BOSWELL ST DALLAS TEX 75203.*

Progressive Voters League
1217 75203. 1/32N

WU 1270 (RB-661)

John Western Union

John Western Union

Western Union

1041P CDT OCT 4 '71 NSA 384
NS DD160 XXT0868 LE HL PDF DALLAS TEX '4
ATTORNEY GENERAL CRAWFORD MARTIN
CAPITOL BLDG AUSTIN TEX

THE PRESIDENTS OF THE DALLAS COUNTY DEMOCRATIC CLUBS MEETING
AS THE COUNCIL OF CLUBS UNANIMOUSLY SUPPORT SINGLE MEMBER LEGISLATIVE
DISTRICTS FOR DALLAS COUNTY
DAN WEISER CHAIRMAN DEMOCRATIC COUNCIL OF CLUBS.
JSC

Ack

Dallas Texas
October 4 1971

The Honorable Martin Crawford, Chairman
Texas Legislative Re-Districting committee
Austin Texas. Dear General:

We do not have the proof since we are not within the interstanum, but a lot of Dallas County citizens are just about convinced that the "fat cats" who always remain in the hidden corners of Dallas County, always appear at the proper time when the money is needed for the nomination of 15 candidates for the Legislature for Dallas County. We do believe all candidates are visited by the "fat cats". It is obvious that they control the majority of these candidates nominated. Hence these candidates when 'elected' are really "lobbyists", in the true meaning of the term. Oh! yes, we know that they are all democrats, but you Texas has not gotten away from voting for the label instead of the "issues".

We dare say if the state were Republican that the "fat cats" would be selecting Republicans for these 15 legislative places with the same compulsion and required service. This is a very good reason for the Texas Legislature to have 150 single member districts.

The Present Attorney General, the present Speaker of the House, the Present Lt. Governor and present Governor all started out from single member districts - Why should not all the citizens be treated as well as the four principle officers of the state of Texas??

The Dallas News did not report it, but the Times-Herald did report that the Attorney General of Texas did fight with all his might AGAINST single member districts for Texas before the recent Texas Supreme court hearing after this Honorable Court rendered the legislature of Re-Districting null and void, which included Dallas County wide voting for 15 members. We observe that the Attorney General is also CHAIRMAN of the Legislative committee of five (5) members for doing the job that the Legislature failed to do and that questionable Mister Mutschler remains on the Committee.

Hon Fred Agnich, a member of the 62nd Legislature explained Speaker Mutschler's behavior thus: Mutschler appointed 45 chairmen of the House committees and 45 Chairman of the Sub committees - 90 is able to control the entire legislative work, but this not all he appoints the full compliment on each committee and none of the 150 are assured of their assignments for more than two years. No member can or may question the speaker's action in these matters and with such control we have the most important bill held over the last two or three days of the session with but little committee action. Shall we shout "Hail Hitler!!".

According to Texas constitution only Single member districts is treating every one alike, so these county wide votes, Congressional District plans are unconstitutional any way it may be observed.

We have checked 50 straight people of voted in the 1970 general election and we not one who could name THREE (3) Dallas county legislators. We wager that single member District Hill county would beat that.

The Honorable Delwin Jones, the Right Bower of Speaker Muscher organized the state into some 10 or 11 districts purportedly to give the people of Texas a chance to the re-districting of state by Congressional, State Senatorial and Legislative. To be heard. The meeting in Dallas was reported to represent some 54 counties. The morning session was a long one Negroes, Mexicans, Democrats, Republicans and Independents had their say. A standing vote was asked on the questions of Single Member districts and conservatively at least 66 percent stood of all the 54 counties representation. The only objection came from the Dallas county democrat chairman and one republican suggested that legislators be elected from State Senatorial districts. It was reported the after noon session had no objection to single member districts a local democrat precinct chairman.

If the other district meetings were anything like the Dallas county meet Mister Jones wasted a lot tax payers' money and did as they pleased. We trust that committee will wise enough to give Texas 150 single member districts and handle this business in Texas instead of Federal Courts.

Sincerely yours

to D Aston 5839 Mercedes ave Dallas

Robert Western union *Robert A.*

845A CDT OCT 6 71 R5A016 SSJ017
WS DD153 KXT0960 KX POM DALLAS TEX 7
CRAWFORD MARTIN ATTORNEY GENERAL
AUSTIN TEX

PLEASE DONT CAST YOUR VOTE WITH GUS MUNCHER TEXAS NEEDS SINGLE

MEMBER DISTRICTS

NC VIRGINIA D SILLERS 4323 VERSAILLES DALLAS TEX. 845P✓ 75205

Mrs. Donald A. Jr

Dear

Western union

Gen Miller

1042P CDT OCT 571 MSA448

MS ED149 IXT0683 KK WL PDF DALLAS TEX,
CRAUFORD C MARTIN, ATTORNEY GENERAL

AUSTIN TEX

IN ACCORDANCE WITH THE UNANIMOUS ACTION OF THE TEXAS DAY CAP
COUNCIL IN AUSTIN ON AUGUST 26 1971 REPRESENTING 25 LOCAL UNIONS
AND 25000 MEMBERS WE REQUEST THAT SINGLE MEMBER DISTRICTS BE
ESTABLISHED

MC M J DAKER PRESIDENT TEXAS STATE DAY CAP COUNCIL.

28 1971 25 25000. SCOTT.

*2415 - John Deppert - no other address
Dallas -*

John D. Martin
John D. Martin
Western Union

241P CDT OCT 6 71 NSAI155
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ATTORNEY GENERAL CRAWFORD MARTIN DLR DO NOT PHONE
CAPITAL STATION AUSTIN TEX

BT

IN BEHALF OF THE DALLAS COUNTY UNW CAP COUNCIL REPRESENTING
8500 MEMBERS IN 8 LOCAL UNIONS WE REQUEST THAT THE REDISTRICTING
BOARD MEET IT'S RESPONSIBILITY BY ESTABLISHING FAIR AND RESPONSIVE
STATE GOVERNMENT BY ESTABLISHING SINGLE MEMBER DISTRICTS
JIM SIEFFIELD CHAIRMAN DALLAS COUNTY UNW COUNCIL

me!

1AU 8500 4 25P
Dale Cliff George
350 4 00 Clear

ark 4340 Ftoria
Dallas, Tex.

75204

Oct 3. 1971

Dear General Martin

according to newspaper
accounts you will be the swing vote
to determine if we have single
Member districts in Dallas County.

You made one statement that was
encouraging and that was to give
the counties what the majority want.
Of course that would permit
a bare majority to deny representation
to a very substantial minority.

However in Dallas County there
isnt any doubt that a substantial
Majority want single Member districts.

The Republicans want them all
Minority groups want them and at
least half of the white democrats want
single Member districts. In the suburbs
such as Mesquite, Garland and Richardson
the percentage of white democrats is 80-90%.

The social structure that picks the
candidates have to carry on "edit each"
into the voting booth to know how to
vote. It is impossible to go into the
qualifications of 15 or 20 person.

The sentiments in the suburbs has
increased or become much more positive
since the integration problems of the
City. Richardson, Garland & Mesquite
have integrated without incident.

The suburbs dont want to be
represented by a dozen towns.

power structure anywhere, including
the State legislature. You can go over
the voting boxes, we were able to
elect the democrats by a solid
straight ticket vote in the Negro
districts. There isn't any doubt
that the majority in Dallas County
want single member districts.

Sincerely
W. J. W. Bass Jr.

After
Western Union

957A CDT OCT 6 71 MSA059

NS PMA059 CC PDF ARLINGTON TEX 5 919A CST

CRAFORD MARTIN

ATTORNEY GENERAL

STATE OF TEXAS AUSTIN TEX.

CARPENTERS DISTRICT COUNCIL OF NORTH CENTRAL TEXAS IN REGULAR
MEETING TUESDAY OCTOBER 5, ENDORSED A RESOLUTION SUPPORTING
SINGLE PLIERS DISTRICTS FOR THE HOUSE OF REPRESENTATIVES AND
THE STATE SENATE FOR THE STATE OF TEXAS
MC A J CHRISTIAN EXECUTIVE SECRETARY CARPENTERS DISTRICT COUNCIL
OF NORTH CENTRAL TEXAS, 1937A

After
John Martin

After
John Martin

509 N. GREAT SOUTHWEST HIGHWAY

Arlington

John Y

western union

John Y

1204P EDT OCT 7 71 WSA127 5S11A1
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1217P EDT 10/9/71
1217P EDT 10/9/71

ZCFC 4 XXTOZCA RP PDS DALLAS TEX 7 WTT
ATTORNEY GENERAL CRAVENFORD MARTIN, DLA DONT PHONE
STATE CAPITOL STATION AUSTIN TEX

ET

I URGE YOU TO USE YOUR INFLUENCE FOR SINGLE MEMBER DISTRICTS FOR DALLAS
COUNTY IN THE REDISTRICTING OF THE TEXAS REDISTRICTING BOARD THE
VAST MAJORITY OF CITIZENS IN DALLAS COUNTY WISH TO HAVE
SINGLE MEMBER DISTRICTS.
John Clegg

WU 1270 108-661

John Clegg
Mr. General

ATTORNEY General holds key to redistricting

Attorney General holds key to redistricting

By Bo Byers

AUSTIN—The problem of redistricting—the Texas House of Representatives is getting stickier by the day, and the man most under the gun is Atty. Gen. Crawford C. Martin.

An Oct. 23 deadline for completion of the reapportionment task is rushing toward the Legislative Redistricting Board, of which Martin is chairman, and as of this writing, the staff has no guidelines from the board on how to approach the job.

The big issue, the one that has the board on high alert, is whether to draw 150 single member districts or whether to allow multimember districts in metropolitan areas.

Sen. Oscar Maury of Dallas and others—including Republicans and liberal Democrats—are threatening court challenges to any House redistricting plan that does not establish separate geographic districts for each of the 150 house members.

If the five-member redistricting board goes with multimember districts and thereby precipitates a court battle, confusion and uncertainty will confront prospective candidates for House seats in the 1972 elections. Two prime difficulties are posed:

First, voter registration cannot be completed until county commissioners' courts know with certainty where House (and Senatorial) district lines

will lie so that voting precincts can be drawn to conform.

Second, with Nov. 7 the deadline for establishing residence to meet the one-year requirement before next year's general election, persons wanting to run for the Texas House will not know where their districts will lie if the courts later strike down a multimember plan and order single districts drawn.

Texas voters generally may not be greatly concerned whether new district lines are helpful or detrimental to political ambitions of legislative candidates, but the various interests and groups who recognize their stake in Texas legislative action are nervous about the outcome.

Martin is considered the swing vote on the question.

Lt. Gov. Ben Barnes, a candidate for governor next year, and Land Commissioner Robert L. Armstrong, who will be up for reelection, favor single member districts.

House Speaker Gas F. Mutschler and Comptroller Robert S. Calvert favor multimember districts.

Martin has not stated which approach he favors, saying only that he wants the board to come up with a constitutional, fair plan.

It would be a fair assumption that Martin, on the basis of his political philosophy as a conservative Democrat, would prefer multimember districts particularly on the countywide basis which has existed for years in Dallas, Bexar (San Antonio) and Tarrant (Fort Worth) counties for years.

Conservative Democrats have dominated election of state representatives in those three big-city counties. Single member districts undoubtedly would lead to election of more liberal Demo-

cats, Republicans, blacks and Mexican-Americans in those counties.

While multimember districts probably are his preference, Martin also faces the political reality that if he is ever on a multimember plan, for it was under Mutschler's leadership that the House this year passed a redistricting plan later held unconstitutional by the Texas Supreme Court. That is why the redistricting board inherited the job of trying to draw a valid plan.

Bo Byers, chief of The Chronicle's Austin Bureau, is a veteran observer of Texas politics.

THE HOUSTON CHRONICLE

AND HERALD

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10-171



OSCAR H. MAUZY
DISTRICT 23
SOUTHWEST DALLAS COUNTY

The Senate of
The State of Texas
Austin

COMMITTEES
—
CHAIRMAN EDUCATION
VICE-CHAIRMAN YOUTH AFFAIRS
MEMBER
ADMINISTRATION CONSTITUTIONAL AMENDMENTS
INSURANCE REDISTRICTING ELECTIONS
RULES

October 6, 1971

Hon. Crawford Martin
Chairman
Legislative Redistricting Board
Supreme Court Building
Austin, Texas

Dear General Martin:

At the hearing this morning of the Legislative Redistricting Board, I neglected to have introduced into evidence the three public opinion polls taken by the firm of Louis, Bowles and Grace regarding single member districts for the House of Representatives.

I am enclosing xerox copies of the cover page and the polls that were made for me in 1966 and pages 39, 40, 41 and 42 of that report as well as the cover page of the poll made for Senator McKool and pages 67 and 68 of that poll.

I am furnishing copies of these exhibits to the other members of the Board and by copy of this letter, I am requesting Mr Robertson furnish xerox copies of the poll made in September, 1968.

Sincerely,

Oscar H. Mauzy

cc: Hon. Ben Barnes
Hon. Gus Mutscher
Hon. Robert Armstrong
Hon. Robert Calvert
Mr. Vic Robertson
Louis Bowles and Grace
Southland Center
Dallas, Texas

Louis, Bowles and Grace
Research Consultants
Southland Center
Dallas
Alex Louis • Walter Bowles • Raymond Grace

THE CLIMATE OF OPINION
IN DALLAS COUNTY'S SOUTHWEST
STATE SENATORIAL DISTRICT

January 1966

Confidential Results of a District-wide Sample Survey

Conducted For:

MR. OSCAR MAUZY

REPORT COPY # 9

Project 506

CHOICE BETWEEN REPRESENTATIVES RUNNING AT-LARGE AND BY DISTRICTS

"Dallas County this year will elect fourteen members to the Texas House of Representatives. Some people think the county should be divided into fourteen districts, each of which should elect its own representative. Others favor having all representatives elected by vote of the whole county. Which do you think is better?"

	Likely Democratic <u>Primary Voters</u>	All Voters District Sample
14 districts better	40%	41%
County-wide better.	40	39
Undecided	<u>20</u> 100%	<u>20</u> 100%
Base - number of interviews	244	408

REASONS IN FAVOR OF ELECTING REPRESENTATIVES BY INDIVIDUAL DISTRICTS

All who favored electing representatives by individual districts were asked: "Tell me how you feel. . . Why do you feel that would be better?" Their reasons are tabulated below:

Better representation: each candidate would know the needs of his local area better; would be closer to the people; each district would get better representation; he would be able to do a better job if he were representing a smaller group of people; candidate would feel a greater responsibility to his home district; representative should be a definite part of his district; would reside in his district; district would benefit more -- get more of what it wanted; understands individual problems; etc.	70%
prevent special interest groups from gaining control: part of the county could control all areas if representatives elected on county-wide basis; a small part of the county could represent the whole county if elected on county basis; don't want the county represented by a small clique; etc.	3
more apt to elect a better qualified candidate: people would get to know their candidate better; people would not be familiar with candidates from other areas of county; would know the qualifications of a local man; etc.	18
No ideas.	12
	<u>103%</u>
Base - all voters favoring election of representatives by individual districts	168

REASONS IN FAVOR OF ELECTING REPRESENTATIVES AT LARGE

All who favored electing representatives at large were asked: Tell me how you feel. . . Why do you feel that would be better?" Their reasons are tabulated below:

Better representation: representatives should have over-all county viewpoint; representatives elected by individual districts would lean toward their own districts forgetting the over-all interests of the county; everyone should have the same opportunity to elect candidates; not good to have representatives partial to their own districts; etc.	25%
Teamwork, cooperation among representatives: representatives would work as a team for the benefit of the whole county; too much controversy between representatives elected in separate districts; would be too much squabbling among representatives from various districts; already too much dissension; etc.	17
Candidates likely to be better qualified: candidates would have better ideas; would be able to get the best qualified candidates; wider choice of candidates; election in separate districts would generate too many low quality politicians; etc.	16
Simplify election procedures, cut election costs: small districts impractical; some districts might not have enough voters to support an election; elections in different districts would be too confusing; too complicated; election should be kept simple; cost too much for election in separate districts; too much trouble dividing county into voting districts; etc.	10
No ideas.	35
	103%
Base - all voters favoring election of representatives by vote of whole county.	157

REACTION TO DALLAS LEADERS RUNNING SLATE OF CANDIDATES AS TEAM

"Do you approve or disapprove of the idea of Dallas County leaders picking a slate of fourteen legislative candidates and running them as a team?"

	Likely Democratic <u>Primary Voters</u>	All Vote District <u>Sample</u>
Approve	23%	20%
Disapprove.	50	51
Undecided	<u>27</u> 100%	<u>29</u> 100%
Use - number of interviews	244	408

THE CLIMATE OF OPINION
IN DALLAS COUNTY'S 16TH
STATE SENATORIAL DISTRICT

Louis, Bowles and Grace, Inc.
Research Consultants

Dallas, Texas 75207

ATTITUDES TOWARD INDIVIDUAL LEGISLATIVE DISTRICTS

"This year, Dallas County will elect fifteen members to the Texas House of Representatives. Some people think each member should be elected from his own individual district; some think they should all be elected by the whole county. In your opinion, which is better -- individual districts, or county-wide?"

	<u>Likely Democratic Primary Voters</u>	<u>All Voters, District Sample</u>
Individual district	55%	58%
county-wide	35	31
No difference	3	3
No opinion.	<u>7</u> <u>100%</u>	<u>8</u> <u>100%</u>
Total - number of interviews	149	400

REASONS FOR FAVORING INDIVIDUAL DISTRICTS

Those who said they favored electing each member of the Texas House of Representatives from his own individual district were asked: "Tell me why you feel that way. Just tell me anything else that comes to mind."

Better representation: district would benefit more; will do a better job of representing us; would be more interested in his district; will know the needs of the people better; chance to see what needs to be taken care of; work more for his district; can serve the people better; could get more work done to help community grow in the right way; will have a closer relationship with the people; could concentrate his effort on our district; can accomplish more for a smaller group; could help more with individual problems; etc.

Voters more informed, better able to elect a qualified candidate: people will know their candidate better; would have more knowledge of him and what he stands for; you know more about them; could not know enough about all the candidates in all the districts; if county-wide, you wouldn't have an opportunity to know the man; would know the qualifications of a local candidate; fifteen men are too many to consider; etc.

Prevents inequitable representation: wouldn't want most of the candidates from one district; if on county-wide basis, some districts would be overlooked; keeps one political group from controlling the election; a small part of the county could represent the whole county if elected

on county basis; etc.
Miscellaneous reasons for electing from individual
district: too much difference in needs from one
section of the county to another; problems of
district aren't always the same as problems
of the county; if they are going to serve the
district they should be voted on from the
district; etc.

No reasons mentioned

Base - those favoring election from individual districts. . . .

REASONS FOR OPPOSING INDIVIDUAL DISTRICTS

Those who said they favored electing each member of the Texas House of Representatives by the whole county were asked: "Tell me why you feel that way. Just tell me anything else that comes to mind."

better representation: representatives should have over-all county viewpoint; can represent the county as a whole; more would be done for all the people -- no district would be overlooked; will give all a chance to elect candidates; would get a greater cross section of how people feel; betterment of the whole county instead of just one district; would be representing a larger group and a larger area; would get more representation since every candidate would represent every

Tolson

Western Union

1207P CDT OCT 9 71 WSA159 DA193

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 CRAIGFORD C MARTIN, ATTY GENERAL, DELIVER
 CAPITAL STATION BLD AUSTIN TEX

IN BEHALF OF THE UNION INTERNATIONAL UNION WE REQUEST THAT THE
 REDISTRICTING BOARD FELT ITS RESPONSIBILITY BY ESTABLISHING
 FAIR AND RESPONSIVE STATE GOVERNMENT IN ESTABLISHING SIXTY-EIGHT
 REDITION DISTRICT
 SANLAM HAN LEGISLATIVE REPRESENTATIVE 400 SOUTH ZAKS SUITE
 310 DALLAS TEXAS 75208 (411-23) 106

Western Union

1215P CDT OCT 5 '71 MSAL69 DC075
D LICES MTOZC9 RE PDF & EXTRA TPD GRAND PRAIRIE TEX OCT 5
CDT

HONORABLE CRAUFORD MARTIN, ATTORNEY GENERAL, DONT PHONE
CAPITOL BLDG AUSTIN TEX
AS PRESIDENT OF DALLAS COUNTY OLDEST AND LARGEST POLITICAL
ORGANIZATION I STRONGLY URGE YOU TO SUPPORT SINGLE MEMBER DISTRICT
MRS. RONDA VECCHIO PRESIDENT DEMOCRATIC WOMEN OF DALLAS COUNTY
2310 INGLESIDE GRAND PRAIRIE TEX.

(1202) /2357

APR 26 1964

WU 1270 108-661

Western Union

Western Union

4

1121A CDT OCT 5 '71 MSG144
MS 16211 PDR LUBBOCK TEX 3 1137A CDT
CRAVEN MARTIN, ATTY GEN

AUSTIN TEX
ON BEHALF OF 340 MEMBERS OF UAW LOCAL 1621 LUBBOCK, TEXAS.
I REQUEST YOU ESTABLISH SINGLE REPRESENTATIVE DISTRICTS
KEN JORDAN,
PRESIDENT UAW LOCAL 1621

340 1621 UAW 1621
(1145A).

2002

Ken J.

Jefferson - **W E S T E R N U N I O N** - *Jefferson*

447P CDT CCT 3 71 WSA057

HS 22013 XTO107 JU PON PAR DALLAS TEX 3

ATTY GEN CRAWFORD MARTIN

ATTY GENERAL OF TEXAS AUSTIN TEX

PLEASE VOTE FOR JUSTICE AND REPRESENTATIVE GOVERNMENT THE PEOPLE
OF DALLAS WANT SINGLE MEMBER DISTRICTS

22 CEDAR & FALOONA 4933 SWISS AVE DALLAS TEX 75214.

J/SAC



DAVE MOSS
BUSINESS PROPERTIES
817-9227 FIRST NATIONAL BANK BUILDING DALLAS, TEXAS 75202

74

SEPTEMBER 28, 1971

ATTORNEY GENERAL CRAWFORD MARTIN
CAPITOL STATION
AUSTIN, TEXAS

DEAR GENERAL MARTIN:

AT PRESENT THIS COUNTY CONTAINS 1,321,000 PEOPLE; THE NUMBER IN A TEXAS CONGRESSIONAL DISTRICT IS ABOUT 470,000. IF OUR HOUSE MEMBERS RUN AT LARGE, THERE WILL BE AS MANY AS FIFTY CANDIDATES FOR EACH VOTER TO DECIDE ON FOR THE HOUSE ALONE.

I KNOW YOU WANT TO HELP THE WELFARE OF OUR STATE. ENCLOSED IS THE DALLAS NEWS ACCOUNT OF THE HOUSE REAPPORTIONMENT HEARINGS LAST MARCH HERE. AN OVERWHELMING MAJORITY OF THOSE ATTENDING THESE OPEN HEARINGS STOOD UP TO SHOW THEY FAVORED SINGLE-MEMBER DISTRICTS, AS THE DALLAS NEWS DULY REPORTS.

PLEASE HELP US ENACT THE WILL OF THE CITIZENS INTO LAW.

SINCERELY,

Dave Moss
DAVE MOSS

RM NC

DALLAS MORNING NEWS - MARCH 20, 1971

Mapping Changes Asked

Concerted Call Made for Single Member Districts

By TOM JOHNSON
and DAVE MCNEELY

Spokesmen for Republicans, blacks and liberal Democrats put their voices together in a concerted call Friday for single member districts to replace the present at-large system of electing state legislators in Dallas County.

Members of the House redistricting subcommittee also heard County Democratic Chairman Earl Luna counsel caution in drawing new district lines so that the Dallas delegation's effectiveness will not be diluted.

"Others advocating the status quo included spokesmen from Grayson, Smith and Ellis Counties who want to remain in congressional districts now represented by Ray Roberts and Olin (Tiger) Teague.

Roberts, Teague and Graham Purcell now represent districts that are in large part rural but which encompass portions of Dallas County. Earl Cacell and Jim Collins are congressmen in districts wholly within Dallas County.

FIFTEEN STATE representatives are now elected at large in the county. The 1970 census will increase the county's share of the 150-member House to almost 12.

Dallas County, with a population of 1,277,321, is now entitled to two full congressmen and the greater part of a third.

The same forces which want single member legislative districts also want congressional redistricting to be approached on an urban-out basis, rather than letting rural areas chip away at Dallas' population strength from without.

Conservative Democrats have traditionally supported the at-large system on the theory that single member districts would bring "ward politics" to Dallas County.

RON CLOWER, STATE CHAIRMAN of the Young Democrats of Texas, said the ward politics argument amounts to a straw man.

"We have ward politics in Dallas right now," Clower said, "but the trouble is, it's one big ward. A lot of people would prefer 17 or 18 wards so all could get a share of the action."

Luna said the five congressmen representing Dallas "have served us well" and he pointed out that the Dallas legislative delegation includes seven committee chairmen, the largest concentration in the state.

But Clower countered that the number of chairmen from Dallas might be a measure of the county's subservience to Speaker Gus Mutscher, himself under a cloud of sorts as a result of the National Bankers Life-Sharpstown Bank affair.

DALLAS STATE SENATORS Mike McKool, Oscar Maury and O. H. (Ike) Harris all stressed that the federal judiciary's "one-man, one-vote" mandate would best be served by single member legislative districts and by starting at metropolitan areas and working outward in congressional redistricting.

Rep. Dick Reed took the occasion to unveil a specific plan for cutting Dallas County up into 15 full legislative districts and into the greater parts of three others.

County towns such as Garland, Mesquite, Irving and Carrollton would more or less be represented by individual legis-

lators under the Reed plan and Richardson, Grand Prairie and De Soto-Lancaster would be in districts which would spill over into Collin, Tarrant and Ellis Counties.

ABOUT TWO-THIRDS OF THE assembled crowd of some 250 rose when Reed asked all who favored single member districts to stand.

"Dallas County has more citizens than 17 states," Reed said, "and it's impossible for this population of more than 1.3 million to be effectively represented on an at-large basis."

Reed said the county is only 16,000 people short of having 10 full districts of 74,545, the median district population under 1970 census figures.

Reed's plan would result in three black districts and five to six Republican districts.

THE REV. ZAN HOLMES, black Dallas representative, said the county is about 25 per cent black now and asked the subcommittee to "not prevent us from increasing our representation."

"We are quite often called to work within the system," Holmes said, "and we trust that the committee will provide us an opportunity to work within the system. We have not been properly represented in the past."

Albert Turner, a black Democratic precinct chairman from Oak Cliff, said the at-large system has been lauded as effective, but not as being fair. "We've got too much effectiveness in some areas and not enough fairness," he said.

Bill Stehr, a liberal defeated in a heated runoff primary race last June by Rep. Sam Cosca, said, "Dallas County has been dominated by a very narrow clique" which has kept any political talent of high caliber from emerging.

JAMES RAY HENRY, Democratic precinct chairman from Seagoville, said the at-large system has allowed current house members to run rough-shod over the needs of people from areas like Seagoville.

"If you have single member districts," Henry contended, "you're going to have more than one black (representative) and more than one Republican, but at least government will have taken a step back toward the people."

Bill Clark, conservative Democratic political chieftain, said the people of Dallas like having five Congressmen share parts of the county. Some other speakers said the people of Dallas would prefer to have Congressmen they don't have to share with rural areas..

Tom Jones said the Dallas turnout was the largest of any of eight regional hearings held around the state. He said he hopes the committee can be finished redrawing all district lines by May 1.

Philip Western Union Sh. Dept. for

3 SEPTEMBER 1971 REVERSED

NO ADDRESSEES IN TEXAS AND HAWAII AS OF 2000 CDT

NON CLAIFORD MARTIN

ATLANTIC GENERAL OF TEXAS TAX AUSTIN TEX

AS YOU DETERMINE MY RESTRICTING OF THE HOUSE OF REPRESENTATIVES
I CITE TO REMIND YOU A JUST COMPLETED POLL MADE AUGUST 05, 1970
TEXAS MEMBERS SHOW TEXAS INDEPENDENT BUSINESS VOTES SIMPLY
WILLBE DISTRICTS BY A MAJORITY OF ONE TO ONE. THE SIGNED BALLOTS
OF THIS POLL ARE AVAILABLE FOR INSPECTION IN THE GOVERNOR'S
OFFICE. YOU ARE DEDUCTIVELY REQUESTED TO ADOPT THIS SIMPLE
MEMBER DISTRICT LINE UP OF THE HOUSE TO ACCURE PROPER REPRESENTATION
OF ALL TEXANS AND BRING ABOUT A CLOSER ACQUAINTANCE OF CITIZENS
WITH THEIR REPRESENTATIVES WHICH WE TRUST WILL AID IN PROMOTING
A MORE RESPONSIVE AND RESPONSIBLE LEGISLATURE

GEORGE T. GATES TEXAS DIVISION MANAGER NATIONAL FEDERATION
OF INDEPENDENT BUSINESS 3-360 P

Philip Western Union Sh. Dept. for

*Western Union
referred, please
C. L. C.*

JERRY BARTOS

October 16, 1971

Attorney General Crawford Martin
Texas State Capitol Building
Austin, Texas 78711

Dear Attorney General:

It comes as quite a disappointment to me to read in the newspaper that you are supporting a continued at-large election of representatives from large cities and counties.

It must be obvious to you that this rules out any person of moderate means who does not gather large financial support in running for office. This is a step to the rear for greater democracy which is that government which is closest to the individual in his individual legislative district.

I am sharply disappointed that you did not choose to support a redistricting of metropolitan areas into single member districts to give the masses of people an individual, close representative with whom they can identify and be heard in state government.

Sincerely,

Jerry Bartos

N
JB/jb

P. O. Box 35825
Dallas, Texas 75235

GE WILLEFORD M.D. State Chairman MRS. MALCOLM MILBURN State Vice-Chairman JAMES R. KANE Executive Director

October 5, 1971

The Honorable
Crawford Martin
Texas State Attorney General
Supreme Court Building
Austin, Texas

JK

THE TEXAS GOParty

The BACKBONE of Political Reform for Texas
310 Littlefield Bldg. Austin, Texas 78701 (512) 477-

Dear General Martin:

Thank you for giving the Texas G.O.P. an opportunity to testify before the Legislative Redistricting Board last Thursday. At the conclusion of the hearing, I gave Mr. Johnson copies of our proposed redistricting plan, creating 150 single member districts. In addition, I gave him maps showing single member plans for all of the counties which formerly had multi-member districts.

We hope that this plan, with its accompanying statistical data and maps, will be of assistance to you and the other members of the Board in drawing a satisfactory redistricting plan for the Texas House of Representatives.

If we may be of any further assistance to you or to the Board, please call upon us.

Very truly yours,

James R. Kane
James R. Kane
Executive Director

JK:law

cc: Messrs: Agnich
Armstrong
Barnes
Boeckman
Calvert
Mutschler
Mrs. Malcolm Milburn

C — Part 1

The Dallas Morning News

Interposition Move Sent to Committee

By HAROLD G. KENNEDY

Associated Press

AUSTIN, Texas. — State representatives Thursday sidetracked a request that so few members had for an "interposition" resolution deposing before the measure came to the floor. Copies were distributed later, and Chapman introduced

The lawmakers sent the measure to the State Affairs Committee members to join as co-sponsors by an 85 to 52 vote.

Five other Dallas members joined Rep. Robert E. Johnson of signed through mistake. Since Dallas as sponsors of the bill. Thought the resolution was one criticizing Congress for a recent. The six Dallas members voted change in the rules for housing against putting the resolution in Mexican national farm workers. a committee.

Rep. Barefoot Sanders, Dallas' seventh member, voted for the committee move. Sanders said that he had not signed the resolution because he had no chance to read it before it came to the House for debate. He indicated he might support it later.

Although Johnson omitted any direct reference to the racial segregation dispute, his resolution was backed most strongly by East Texas legislators. It criticized the United States Supreme Court for "recent decisions . . . based upon school board at the first election a foreign and strange concept after it ordered integration. Slack said the change came with little incident, but that some citizens opposed it. He reported that systems at Pecos "cleaned out" the school board decide how it has to handle the matter," Slack concluded.

Rep. Joe N. Chapman of Sulphur Springs, speaking for the Representative Johnson is uncertain when to ask for a State Affairs and Supreme Court—that resolution. The same group has 11 "we believe the Supreme Court will be consider, sponsored by pro-segregation forces. Hearings on these probably will be requested within the next month, according to sponsors.

Rep. Harold G. Kennedy of Marlin, Fauns, moved to send Johnson's resolution to committee.

"Some of us feel we may be with him in belief, but not in wording," said Kennedy. "May be some of us are not with him in belief."

Rep. Ben Atwell of Dallas said

Sponsors had hoped to get House approval Thursday. After it was referred to committee, Chapman expressed a "disposition" resolution deposes before the measure came to the floor. Copies were distributed

later, and Chapman introduced

One original signer, Rep. Rick Slack told a reporter he was not

are we will even support the Johnson resolution.

"The segregation problem is mostly behind us in my district," said Slack, who hails from West Texas. Schools in his

district, with only a few Negroes, have integrated.

Slack said the change came with little incident, but that some citizens opposed it. He reported that

systems at Pecos "cleaned out" the school board decide how it has to handle the matter," Slack concluded.

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Rep. Ben Atwell of Dallas said

Johansen was simply stating "the unenforced doctrine of interposition."

This idea for a state to express

dislike with an action of the Federal Government was revived after the Supreme Court held

that compulsory segregation in public schools is unconstitutional.

Johnson's resolution was based on one from Virginia, where the idea originated.

"Until the questions here asserted by the State of Texas be settled by clear constitutional amendment, Texas declares her firm intention to take all appropriate measures honorably, legally,

and constitutionally available to the state to resist illegal encroachment upon her sovereign powers," the resolution said.

It calls for other states and the Congress to protect State rights.

The Johnson resolution expressed concern over a federal judge's order for arrest of 26 citizens in Clinton, Tenn., for alleged interference with school integration.

The Texas legislator said the judge "ruled certain citizens who were not before the court and were not parties to such litigation for contempt, and Texas is convinced that if a judge has such authority, then a citizen of the Lone Star State likewise, without violating any statutory enactment, could be punished in the absence of an indictment by a grand jury and in deprivation of the right to a trial by jury.

Such proceedings would be in violation of every principle of Anglo-American jurisprudence, by such reason a federal court could deliberately resolve to destroy the Constitution of the United States

and to force and defeat the supreme

Staff Appointments Made by Governor

Some Names of The Nine
AUSTIN, Texas - Staff appointments were announced Wednesday by Gov. Price Daniel.

Administrative Assistant will include John Jernigan committee

assistant, George Christon; personnel relations, Mrs. Francis Ward; internal administration, Jess Irwin; budget and Jenny Banks business office.

William L. McGiffen was chosen as coordinator of Civil Defense and Disaster Relief.

Secretaries who were with Daniel as a United States Senator in Washington and have moved with him to Austin are Mrs. Margaret Wentworth Behrens, Mrs. Ned McDermott, and Mrs. Terrell Allen.

Allen—Mrs. Ward has been working for Daniel since 1951 when he was Speaker of the Texas House of Representatives. Johnson and Mrs. Allen were on his staff when Daniel was Attorney General.

Barry, Brown and McMillin are holding over from the staff of Gov. Alan Shivers.

Christian former Austin news
executive asked for Daniel's

The Governor announced that his sister, Miss Ellen Daniel, will serve as a secretary for personal correspondence. She will not be on the state payroll, however.

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Bills to Bar Integration Are Offered

State Board of the Texas
ATLANTA TEXAS A fine par-
age to present segregated pub-
lic schools was offered Wednes-
day by East Texas legislators

This would carry out recommendations of former Sen. Allan Shivers' statewide advisory committee on segregation law. That Daniel likes to oppose integrated schools except by legal action.

The nine bills, previously announced, are urged by representatives Virginia Duff of Ferrisburg, Jerry Radler of Ferndale, Ron Fornell of Tyler, Joe S. Chapman of Sulphur Springs, Anna M. Martin of Paris, Abe Maya Jr. of Atlanta, and Reagan P. Huffman of Marshall.

of students. They would prohibit payment of state funds or pupil transportation to a school of another race without approval at a local election, using a public assignment plan unless factors other than race require maintenance of segregated schools until altered by an election. Payment of state tuition for students to attend nonsegregated private schools when segregated public schools are unavailable.

An appeal procedure is proposed, through local school districts to the Texas Education Agency and a Joint Legislative Committee on School Assignments. The attorney general would be directed to defend all lawsuits brought to integrate local schools and the legislative committee rather than local board would be defendant.

Ten other bills already introduced bring in to the total those already seeking to preserve segregation. One of these provides penalties for school officials permitting integration without an election. The others, for disemployment of any member of National Association of Colored People as a teacher or principal, or any other state or local government employee.

For these reasons of Dallas
is preparing an interpretation
resolution expressing the legisla-
tive opposition to federal en-
forcement in public school mat-
ters.

Other new houses will include
A universal room when the
house can fit grand parties &
entertain interesting guests.

People begin making
decisions about franchises
as soon as they start looking
around at what's available.

DATA 9

PLAINTIFF'S EXHIBIT 82

The Dallas Morning News

THURSDAY, JULY 24, 1958

For Senate and House Posts

AT THE NATIONAL LEVEL in Saturday's primaries, Texas voters are concerned in initial action with selection of the candidates for the one United States Senate post involved and with the nominations for Congress in each district. In the precinct conventions that meet when the polls close at 7 o'clock, they are concerned in the vital control of party machinery which affects both national and state races in the general campaign.

In the Senate race, both candidates have served as United States Senators, neither by a majority choice of the electorate. Bill Blakley was appointed to fill a vacancy. Ralph Yarborough won a plurality in a vacancy election in which there were no party nominees. This is the first time either has asked for a majority in the Democratic Party to name him the Senate candidate. Blakley has never before sought a nomination. Yarborough has been three times defeated as a nominee for Governor.

The choice is simply between conservative thinking along historic American lines and the welfare state socialism of the New Deal, the Fair Deal and the present liberal-labor alignment in Texas.

The News recommends Bill Blakley, a business and industrial leader who has made a personal fortune and uses it for civic good. Blakley is a plain-speaking, indeed outspoken, conservative, sound in his economic reasoning and as devoted to the general interests of his country

and his state as any man could be, regardless of his slant of thought. Conservatives can make no mistake in voting for Blakley.

Ralph Yarborough is the liberal candidate. He is the choice of organized labor, has the support of NAACP rank and file, has sought office consistently as the foe of the conservative control of the past few years. There is no criticism of his ability, though The News criticizes his methods.

In the Dallas Fifth Congressional District, it is to be hoped that Bruce Alger, asking a third term, is renominated by the Republicans for two reasons. In two terms he has proved himself one of the ablest independent thinkers in the Lower House. Dallas can have no better representative. The other reason is that he is the target of as arrant an operation of political chicanery by liberal-labor as ever disgraced the political book. It is one of the best arguments for voting against liberal-labor.

In the Democratic primary, The News recommends Joe Pool, a down-the-line conservative over Barefoot Sanders, who has liberal-labor support. Both have been able members of the Dallas legislative delegation.

You must vote in your own primary. Republicans should take part in theirs to renominate Alger, who is unlikely to lose a real GOP vote. Democrats must vote in their primary if Blakley is to carry Texas.

5-1-58

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Dallas Lawmakers Record Heavy Segregation Votes

By ALLEN BROWNSTEIN
Political Editor of The News
Dallas members of the Legislature voted heavily in favor of segregation bills at last year's session, a report by the Texas Referendum Committee said yesterday.

Robert Cargill of Tyler, chairman of the committee, released voting records on 11 segregation bills taken in the House, and on three voice and one record vote of the Senate.

The referendum group sponsored the petition that got segregation bills on the 1954 ballot. Voters approved segregation except for about 4 to 5% in the legislative session. The committee picked bills designed to protect segregation.

The 11 House votes in Cargill's report were on: A bill banning NAACP members from school district employment (no votes, second reading and final passage); a bill cutting off state aid to school districts where integration was taking place without local option authority; a bill allowing school boards the right of placement of pupils according to educational curriculum and environment of the individual students and allowed parents to withdraw students from integrated schools; bill allowing grants for educational purposes to children where no public schools existed; an amendment; bill allowing teacher to be based on such factors as health, morals, family background, welfare of children, etc. (second reading and final passage); bill authorizing closing of schools where troops surrounded grounds (five votes, an amendment and final passage); and a bill requiring registration of NAACP members involved in school controversies.

Three Dallas members were scored as casting all 11 "yes" segregation votes: Representatives Robert H. Hughes, Robert E. Johnson and Joe Paul.

Three others had absences but supported segregation bills when present: Representatives Fred Gandy, 6 yes, 3 absent; John L. Cuddeback, 8 yes, 3 absent; Robert K. Sutton, 18 yes, 1 absent.

Rep. Barefoot Sanders was credited with voting for the local option bill involving state school funds and closing of schools where troops surround grounds. He was credited with 9 no votes on other legislation.

Sen. George Parkhouse of Dallas was given a unanimous segregation record. He voted for three measures that reached the floor: voice votes and for a joint resolution that was a record vote.

The record vote was on the NAACP registration bill. Voting for it were: Terence A. Branigan of Fort Worth, Charles Collier of Navasota, Oyle Krueger of El Campo, Wardlow Lane of Center, Otto E. Leck of Lubbock, Crawford Morna of Hillsboro, William T. Price of Bryan, George Parkhouse of Dallas, Jimmy Phillips of Angleton, David W. Ratliff of Houston, Tex Roberts of McAllen and Bill Walker of Tyler. Sen. Artie Rector of Chappell Hill was absent, but would have voted "yes" as would have Sen. Grind Edwards.

Four votes in addition to those of Dallas members on segregation measures with "yes" meaning a favorable vote, were listed as follows:

Sen. J. W. Jones of Waco, Sen. W. E. Moore of San Antonio, Sen. W. E. Morris of Fort Worth, and Sen. W. E. Morris of Dallas.

Thursday, May 1, 1958

The Social Environment

Part 1 — 22

Sectionalization by Vote

Thursday, May 1, 1916

REPORT

Wakefield's Record Heavy Segregation Vote

Referring to a House bill to prohibit segregation in public schools, Senator W. C. West said:

"Recent Gallup opinion shows that 70 per cent of the community oppose segregation in public schools. The Senate voted records on 11 segregation bills taken in the House, and on three voice and one record vote, defeated all of them. The Senate, by a vote of 4 to 1, rejected a bill designed to prevent segregation.

The gubernatorial group succeeded in getting the following bills passed:

the petition that put segregation issues on the 1956 ballot; Voter approved segregation laws by about 4 to 1. In the legislative session, the committee passed bills designed to prevent segregation.

The 11 House votes in Congress's report were on 5 bills banning NAACP members from schools and from employment; these votes are as follows: final passage of a bill cutting off state aid to school districts where integration takes place without local option authorization; bill allowing school board the right of placement of pupils according to educational curriculum and environment of the individual students; and allowing parents to withdraw students from integrated schools; bill allowing gratis for educational purposes in cities where no separate public schools are provided; bill allowing transfer to be based on such factors as health, merits, family background, welfare of children, etc. (read end reading and final passage); bill authorizing closing of schools where troops surround grounds (three votes, an amendment and final passage); and a bill requiring resignation of NAACP members involved in school controversies.

Three Dallas members were scored as casting all 11 "yes" segregation votes. Representatives Robert H. Hughes, Robert E. Johnson and Joe Pool.

Three others had absences but supported segregation bills when present. Representatives Ben Atwell 6 yes, 3 absent; John L. Crutchfield 8 yes, 1 absent; Robert E. Butler 10 yes, 1 absent. Rep. Eastman Sanders has recused himself voting for the several segregation bills involving state aid funds and closing of schools where troops surround grounds. He was credited with 9 yes votes in those balloting.

Sen. George Parkhouse of Dallas was given a unanimous segregation record. He voted for those measures that reached the floor on voice votes and the 4 that had a record vote.

The record vote was on the NAACP segregation bill. Voting for it were Senators A. H. Allen Jr. of Paris, Novella H. Criss of Navasota, Chet Thompson of La Grange, Marion Lane of Cooper, Orlon T. Lock of Lubbock, J. Andrew Morris of Jacksonville, William T. Morris of Bryan, George F. Parkhouse of Dallas, James Phillips of Angleton, David W. Ray of Stamford, Ross Roberts of Marion and Bill Wood of Tyler. Sen. Andy English of Charlotte was present but would have voted yes, as well as some other already mentioned.

These 11 bills in addition to those of Dallas members on segregation measures will have meaning in a legislative session next year as follows:

1. The voter approval of segregation laws will be in effect for the 1956 election. This will mean that the 1956 election will be held under segregated conditions.

Supreme Court of the United States

No. 72-147

Bob Bullock et al.,

Appellants,

v.

Diana Pagester et al.

APPEAL from the United States District Court
for the Western District of Texas.

The statement of jurisdiction in this case
having been submitted and considered by the Court,
probable jurisdiction is noted.

October 10, 1972